

Senate Activity for Tuesday, January 23, 2018

COMMITTEE HEARINGS

Health, Human Services & Medicaid

HB 145 **CONFIDENTIAL TREATMENT** (Huffman, S., Sprague, R.) To provide for the establishment of a confidential program for the treatment of certain impaired practitioners and to declare an emergency. (**REPORTED-AMENDED**; 4th Hearing -All testimony-Possible vote)

The committee voted unanimously to report the bill after accepting two amendments. The first amendment, offered by Chairman Sen. Dave Burke (R-Marysville), deals with the potential of a move of Medicaid long-term services and supports into managed care. That proposal was hotly debated in the budget, with the General Assembly putting a limit on the administration's plan to implement the move, and Gov. John Kasich vetoing the language. The issue was resolved when the Kasich administration announced it would not begin the move.

The amendment states that the General Assembly would have the final say in whether Medicaid can move long-term care services to managed care, said Sen. Scott Oelslager (R-N. Canton).

The other amendment includes language considered but tabled in December dealing with the move of the regulation of dieticians and respiratory care providers to the State Medical Board. (See Gongwer Ohio Report, December 5, 2017)

HB 286 **PALLIATIVE CARE** (LaTourette, S.) To create the Palliative Care and Quality of Life Interdisciplinary Council, to establish the Palliative Care Consumer and Professional Information and Education Program, and to require health care facilities to identify patients and residents who could benefit from palliative care. (**CONTINUED-AMENDED**; 1st Hearing-Sponsor & Possible amendments)

The committee accepted an amendment offered by Sen. Burke that adds exercise physiologists to list of experts that can be appointed to the interdisciplinary council, clarifies what non-hospice palliative care candidates may receive the service from a hospice facility, and makes technical corrections.

Sponsor Rep. Sarah LaTourette (R-Chagrin Falls) said the bill would create an interdisciplinary council and education program to raise awareness about palliative care. Palliative care, in which a patient's quality of life is improved by reducing symptoms, pain and stress by giving them more control, is appropriate at any point in an illness, not just at the end of life.

"Palliative care is appropriate at any age and at any stage of a serious illness, but when palliative care is mentioned many people do instantly think of 'hospice care' and the

conversation stops," she said. "Because of this, palliative care is drastically and disappointingly underutilized in our state."

The council would include members from fields that work closely with palliative care recipients, and would serve as an advisory council to the Department of Health," Rep. LaTourette said. "The bill also creates an education program to inform patients and medical providers about the care."

Sen. Bill Beagle (R-Tipp City) asked what the council's main objective would be.

The sponsor said education is important, because if people don't know about palliative care, they won't take advantage of it. The council would also be required to submit annual reports to the General Assembly.

HB 50 **EBT CARDS** (**Schaffer, T.**) To establish requirements for electronic benefit transfer cards issued under the Supplemental Nutrition Assistance Program. (CONTINUED (See separate story); 1st Hearing-Sponsor)

SB 110 **HEALTH CARE IDENTIFICATION** (**Tavares, C.**) To require a health care professional to wear identification when providing care or treatment in the presence of a patient. (CONTINUED; 1st Hearing-Sponsor)

The bill would require certain health care professionals to wear an identification card, badge or similar device, including a photograph, when providing care, sponsor **Sen. Charleta B. Tavares** (D-Columbus) said. The badge would be required to include the person's licensure status and staff position.

"Without this legislation it is all too easy for patients to confuse who is and is not a licensed health care professional," she said. "It is also very easy for unlicensed or unqualified individuals to administer care to unaware patients. The misrepresentation of the level of training held by health care professionals is dangerous and can result in the loss of a loved one's life."

The sponsor detailed the story of a patient in South Carolina who ultimately died from complications from a pain reliever after surgery and whose mother repeatedly asked for a veteran physician at the hospital to examine him, but was only met by residents.

"It is vital that health care professionals are required to wear identification of who they are and what their level of training is in order to insure the utmost level of transparency between patients and health professionals," she said.

Sen. Peggy Lehner (R-Kettering) asked the sponsor if she has checked with hospitals to see if it is already in practice.

Sen. Tavares said she didn't know how common of a practice it is, particularly in smaller hospital systems and practices.

Sen. Edna Brown (D-Toledo) said many people wear badges backwards, and suggested that the requirement be that the name and status be visible.

That's the intent of the bill, Sen. Tavares said, but it could be made explicit in the bill.

SB 192 **AWARENESS WEEK** (**Tavares, C.**) To designate the last week of September as "Diaper Need Awareness Week." (CONTINUED; 1st Hearing-Sponsor)

Sen. Tavares said her bill would designate the final week of September as Diaper Need Awareness Week, focusing on the need by low-income families of diapers and to rally support for diaper bank programs.

"Children in low-income families are at the greatest risk of suffering the effects of diaper need because many families cannot afford diapers," she said. "Current public support programs help some, but young children have additional needs necessary to build a strong foundation for healthy growth. More awareness needs to be brought to such a critical but oftentimes overlooked necessity for Ohio families."

Temporary Assistance for Needy Families is the only federal program that can cover diapers, and families are often forced to choose between diapers and other services TANF covers, such as heat, electric, rent, clothing and transportation, Sen. Tavares said.

"This bill is simply meant to bring attention to this important need and to encourage those of us with a little extra to donate to the Diaper Banks in our communities or to start them," she said.

Insurance & Financial Institutions

HB 362 **HPRS RETIREMENT** (Carfagna, R., Ramos, D.) To revise the law governing the State Highway Patrol Retirement System. (**CONTINUED**; 2nd Hearing-All testimony)

Mark Atkeson, executive director of the Ohio Highway Patrol Retirement System, said the bill would help the pension fund ensure continued solvency.

The bill would return the minimum retirement age to 52 for new hires after Jan. 1, 2020, calculate pension benefits for off-duty disabilities based on a minimum 12-year service benefit instead of 20 years, and eliminate the automatic 50% unfunded survivor benefit, creating a set amount of \$900, increasing annually as the board determines.

The measure would also provide no survivor benefits for those who marry after retirement.

"These changes reduce the amortization period of our unfunded actuarial accrued liabilities by several years, and when these changes are fully realized, they will have a compounding cumulative effect on reducing our unfunded liabilities," he said. "In addition, these are considered best practices and are consistent with other similar systems."

Robert Booker, president of the Ohio Highway Patrol Retirees' Association, said the changes are needed to ensure the system's long-term health.

"Like with other pension systems, our system continues to face actuarial assumption changes that have not been seen before," he said. "Probably, the most significant change was the reduction of the investment assumed rate of return. These assumption changes increase the unfunded actuarial accrued liabilities of a pension system. The legislative changes the HPRS board has approved are necessary and will decrease the amortization period of the system's unfunded actuarial accrued liabilities by several years, thus improving its solvency."

In written testimony, HPRS Board member Matt Them voiced support for the proposal.

"I realize no one wants to see any change in benefits, myself included, but this legislation is in the best interest of the retirement system and its long-term solvency," he said. "Thus, in the long-run, a solvent and well-funded system will benefit all of us individually."

Chairman Sen. Jay Hottinger (R-Newark) said he hopes to vote the bill out of the committee next week.

SB 227 **HEALTH PLAN CLAIMS** (Huffman, M.) To require health plan issuers to release certain claim information to group plan policyholders. (**CONTINUED (See separate story)**; 3rd Hearing-Opponent & interested party)

Government Oversight & Reform

SJR 5 **CONGRESSIONAL REDISTRICTING** (Huffman, M.) To establish a process for congressional redistricting. (**CONTINUED (See separate story)**; 1st Hearing-All testimony)

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Daily Activity Planner for Wednesday, January 24

Legislative Committees

House Health (Committee Record) (Chr. Huffman, S., 466-8114), Rm. 121, 9 a.m.

HB 191 **NURSE ANESTHETISTS** (Gonzales, A.) Regarding the practice of certified registered nurse anesthetists. (3rd Hearing-Proponent)

Senate Ways & Means (Committee Record) (Chr. Eklund, J., 644-7718), South Hearing Rm., 9 a.m.

HB 24 **VETERAN ORGANIZATIONS** (Ginter, T.) To modify the existing tax exemption for veterans organizations' property to include property of certain veterans organizations exempt from federal taxation under section 501C(4) of the Internal Revenue Code and to exclude property that is not used primarily for meetings, administration, and the provision of programs and services to past and present members of the United States armed forces. (2nd Hearing-Proponent)

HB 292 **OHIO RESIDENCY** (Scherer, G.) To modify the test for determining an individual's state of residence for income tax purposes. (2nd Hearing-Proponent)

SB 226 **TAX HOLIDAY** (Bacon, K.) To provide for a permanent three-day sales tax "holiday" each August during which sales of clothing and school supplies are exempt from sales and use tax. (3rd Hearing-All testimony)

Senate Government Oversight & Reform (Committee Record) (Chr. Coley, B., 466-8072), Finance Hearing Rm., 9:45 a.m.

SJR 5 **CONGRESSIONAL REDISTRICTING** (Huffman, M.) To establish a process for congressional redistricting. (2nd Hearing-All testimony-Possible amendments & vote)

House Insurance (Committee Record) (Chr. Brinkman, T., 644-6886), Rm. 116, 10 a.m.

- **Presentation by Ohio State Highway Patrol Lt. Steven M. Click on the Ohio ASSIST (Aiding Safety Services with Incident Survival Techniques) Program**

HB 459 **WORKERS' COMPENSATION** (Henne, M.) To allow groups of employers to be granted status as a self-insuring employer for purposes of the Workers' Compensation Law. (1st Hearing-Sponsor)

HB 416 **HEALTH SERVICE PRICES** (Huffman, S.) Regarding the provision of cost estimates for scheduled health care services and health care services requiring insurer preauthorization. (2nd Hearing-Proponent)

House Transportation & Public Safety (Committee Record) (Chr. Green, D., 644-6034), Rm. 017, 10 a.m.

- HB 293** **DRIVER'S LICENSES** (Scherer, G., Sheehy, M.) To require a person to hold a temporary instruction permit for one year before obtaining a probationary driver's license and to alter the time periods during which the holder of a temporary instruction permit or probationary driver's license is prohibited from operating a motor vehicle without being accompanied by a parent or guardian. (3rd Hearing-Proponent & opponent-Possible substitute)
- HB 350** **ROAD NAMING** (Craig, H.) To designate a portion of State Route 317 in Franklin County as the "Patrolman Dane L. Rowe Memorial Highway." (1st Hearing-All testimony-Possible vote)
- HB 421** **VEHICLE TITLES** (Patterson, J., Becker, J.) To provide that when a certificate of title is issued for a motor vehicle, the owner may request that the certificate indicate that the motor vehicle is a replica vehicle. (1st Hearing-Sponsor)
- HCR 20** **VEHICLE CRASHES** (Schaffer, T.) To urge Congress to encourage the Administrator of the FMCSA to change the crash indicator BASIC regulation standards to consider only crashes in which the driver was at fault for the crash. (1st Hearing-Sponsor)
- HB 400** **BRIDGE NAMING** (Holmes, G.) To designate the bridge spanning Squaw Creek, that is part of State Route 169 in Trumbull County, as the "World War I and World War II Veterans Memorial Bridge." (1st Hearing-All testimony-Possible vote)
- HB 401** **BRIDGE NAMING** (Holmes, G.) To designate the bridge spanning Squaw Creek, that is part of United States Route 422 in Girard, as the "Purple Heart Veterans Memorial Bridge." (1st Hearing-All testimony-Possible vote)
- HB 388** **LICENSE PLATE** (Sykes, E., Roegner, K.) To create the "Stan Hywet Hall and Gardens" license plate. (1st Hearing-All testimony-Possible vote)

House Higher Education & Workforce Development (Committee Record) (Chr. Duffey, M., 644-6030), Rm. 115, 11 a.m.

- HB 58** **CURSIVE HANDWRITING** (Brenner, A., Slaby, M.) To require instruction in cursive handwriting. (6th Hearing-Sponsor)
- HB 449** **SPONSOR RATINGS** (Rogers, J., Patterson, J.) To require the Department of Education to attribute any community school sponsor ratings an entity received during its relationship with a state university board of trustees to that entity even if it no longer has a relationship with the university. (1st Hearing-Sponsor)

Senate Rules & Reference (Committee Record) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 11 a.m.

House Rules & Reference (Committee Record) (Chr. Rosenberger, C., 466-3506), Rm. 119, 12:15 p.m.

House Session (Committee Record) (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.

Senate Session (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 1:30 p.m.

House Civil Justice (Committee Record) (Chr. Butler, J., 644-6008), Rm. 121, 2:30 p.m.

HB 407 **ESTATE LAW** (Dever, J., Seitz, B.) To abolish the estate by dower. (3rd Hearing-All testimony-Possible vote)

HB 446 **POWER OF ATTORNEY** (Rogers, J., Seitz, B.) Relative to the acceptance of an acknowledged power of attorney. (1st Hearing-Sponsor)

House Armed Services, Veterans Affairs & Homeland Security (Committee Record) (Chr. Johnson, T., 466-2124), Rm. 116, 2:30 p.m. or after session

HR 318 **ARMED FORCES** (Dever, J.) To urge the President and Congress of the United States, and the Secretary of Defense, to authorize the recruitment of individuals with disabilities for service in the Armed Forces of the United States. (1st Hearing-Sponsor)

HB 434 **LICENSE PLATES** (Sweeney, M., Perales, R.) To create the "Army Distinguished Service Cross," the "Navy Cross," the "Air Force Cross," and the "Coast Guard Cross" license plates. (1st Hearing-Sponsor)

House Government Accountability & Oversight (Committee Record) (Chr. Blessing, L., 466-9091), Rm. 313, 2:30 p.m. or after session

- 2nd Hearing-Proponent testimony on bill from Rep. Schuring on redistricting

HB 87 **COMMUNITY SCHOOLS** (Roegner, K.) Regarding public moneys returned to the state as a result of a finding for recovery issued pursuant to an audit of a community school. (6th Hearing-All testimony-Possible vote)

HB 478 **WIRELESS SERVICES** (Smith, R., LaTourette, S.) To modify the law regarding wireless service and the placement of small cell wireless facilities in the public way. (2nd Hearing-Proponent)

HB 382 **UNEMPLOYMENT COMPENSATION** (Schuring, K.) To modify terms describing payments made under the Unemployment Compensation Law, to increase the amount of wages subject to unemployment compensation premiums, to require qualifying employees to make payments to the Unemployment Compensation Insurance Fund, to allow the Director of Job and Family Services to adjust maximum weekly benefit amounts, to reduce the maximum number of benefit weeks, and to make other changes to the Unemployment Compensation Law. (10th Hearing-All testimony)

HJR 4 **UNEMPLOYMENT COMPENSATION** (Schuring, K.) Proposing to enact Section 2t of Article VIII of the Constitution of the State of Ohio to allow the General Assembly to provide by law for the issuance of bonds to pay unemployment compensation benefits when the fund created for that purpose is or will be depleted or to repay outstanding advances made by the federal government to the unemployment compensation program. (10th Hearing-All testimony)

HB 462 **HOSPITAL CLOSINGS** (Schuring, K., West, T.) To require that a for-profit hospital and its affiliated health care facilities in certain counties follow specified procedures before ceasing operations or closing, and to declare an emergency. (3rd Hearing-All testimony-Possible vote)

- HB 301** **CONSENT DECREES** (Butler, J.) To require the approval of the General Assembly for a state agency to agree to a consent decree or court-approved settlement agreement that would alter or prohibit the enforcement of a law of this state. (1st Hearing-Sponsor)
- SB 223** **USED TIRES** (LaRose, F.) To prohibit the installation of unsafe used tires on certain motor vehicles. (1st Hearing-Sponsor)
- SB 127** **WASTE COLLECTION VEHICLES** (LaRose, F.) To require motor vehicle operators to take certain actions upon approaching a stationary waste collection vehicle collecting refuse on a roadside. (1st Hearing-Sponsor)
- House Community & Family Advancement (Committee Record) (Chr. Ginter, T., 466-8022), Rm. 114, 3 p.m. or after session**
- HB 427** **SUBSTANCE ABUSE** (Young, R.) To require the Department of Health to publish monthly drug overdose death information for each county, to create grant programs to support faith-based substance abuse services, to authorize an income tax deduction for physicians providing such services for free, and to allocate funds and make an appropriation for the grant programs. (1st Hearing-Sponsor-Possible substitute)
- HB 366** **CHILD SUPPORT** (Gavarone, T.) To make changes to the laws governing child support. (5th Hearing-All testimony-Possible vote)
- House Federalism & Interstate Relations (Committee Record) (Chr. Roegner, K., 466-1177), Rm. 115, 3:30 p.m. or after session**
- HB 253** **CONCEALED WEAPONS** (Householder, L., Lanese, L.) To permit law enforcement officers to carry firearms off duty in places otherwise prohibited for concealed handgun licensees. (3rd Hearing-Opponent & interested party)
- House State & Local Government (Committee Record) (Chr. Anielski, M., 644-6041), Rm. 017, 3:30 p.m. or after session**
- HB 415** **ROAD IMPROVEMENTS** (Greenspan, D., Ryan, S.) To allocate one-half of any surplus revenue to a new Local Government Road Improvement Fund, from which money will be distributed directly to local governments to fund road improvements. (2nd Hearing-All testimony-Possible substitute)
- HB 169** **HEALTH INSURANCE** (Merrin, D.) To require, with respect to insurance contracted for or provided by the Department of Administrative Services, an individual who is not covered by a collective bargaining agreement to pay the same percentage of the premium for vision, dental, or life insurance as the individual pays for health insurance. (2nd Hearing-Proponent)
- HB 298** **SICK DAYS** (Merrin, D.) To make changes with respect to the number of sick days provided to public employees. (2nd Hearing-Proponent)
- HB 314** **SAFETY TAX CREDIT** (Schaffer, T.) To allow an income tax credit for law enforcement officials who purchase safety or protective items to be used in the course of official law enforcement activities. (1st Hearing-Sponsor)

- HB 453** **CHARTER HOSPITALS** (Greenspan, D.) To require that all rights and interests in discoveries, inventions, or patents made by employees using charter county hospital facilities are the property of that charter county hospital. (1st Hearing-Sponsor)
- HB 454** **CEMETERY LOTS** (Patterson, J., Arndt, S.) To require a township to compensate the owner of certain unused cemetery lots and rights which the township reenters after lack of response from the owner. (1st Hearing-Sponsor)
- HR 299** **DRUG USE** (Young, R., Ginter, T.) To recognize the efforts and successes of the faith-based community in supporting and assisting individuals who are suffering from opioid and other drug abuse and addiction. (1st Hearing-Sponsor)
- SCR 15** **YEAR DESIGNATION** (O'Brien, S., Wilson, S.) To designate 2018 as 'Ohio's Year of the Trails.' (1st Hearing-Sponsor)

Agency Calendar

Arts Council, 33rd Fl., 30 E. Broad St., Columbus, 10 a.m. (The Finance Committee meets previously at 9:30 a.m. and the Executive Committee meets at noon or immediately following the board meeting.)

Board of Building Appeals, Division of Industrial Compliance, 6606 Tussing Road, Training Room 1, Reynoldsburg, 1:30 p.m.

Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.

Event Planner

Ohio Oil and Gas Association and Ohio Environmental Council Action Fund news conference call on orphan well legislation, 9:30 a.m.

Managed Long-Term Services and Supports Study Committee, Rm. 1960, 77 S. High St., Columbus, 10 a.m.

Rep. Scott Lipps (R-Franklin) and Rep. Thomas West (D-Canton) and Ohio Pharmacists' Association news conference on prescription drug legislation, Press Briefing Rm., Statehouse, Columbus, 11:30 a.m.

Rep. Ryan Smith (R-Bidwell) & Rep. Dave Greenspan (R-Westlake) fundraiser, Athletic Club, 136 E. Broad St., Columbus, 11:30 a.m., (Chair: \$5,000, Sponsor: \$2,500, Host: \$1,000, Guest: \$500 to Friends of Ryan Smith and Friends of Dave Greenspan RSVP required to Taylor at 740.395.7656 or Taylor@smithforohio.com)

Rep. Janine Boyd (D-Cleveland Hts.) fundraiser, Club 185, 185 E. Livingston Ave., Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Friends of Janine Boyd. RSVP with Jenna Gravalis at 551-427-9895 or jgravalis@ohiodems.org)

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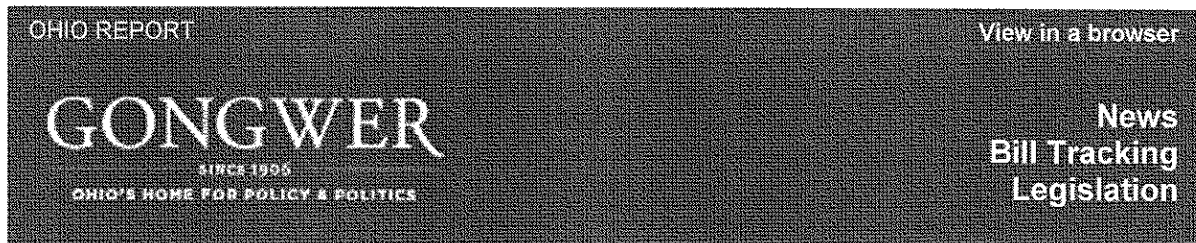
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Lawmakers Urged To Find Bipartisan Agreement On Redistricting Revamp; Sponsor Says Changes Afoot

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Senate Democrats Scrutinize SNAP Fraud Bill

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Groups Call For More Specificity On Bail Assessment Tools

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Volume #87, Report #15 -- Tuesday, January 23, 2018

Lawmakers Urged To Find Bipartisan Agreement On Redistricting Revamp; Sponsor Says Changes Afoot

A key Ohio business group told legislators Tuesday that it could get behind a proposal to change how congressional districts are drawn in Ohio - as long as the plan has "strong" buy-in from both parties.

The sponsor of the proposal, meanwhile, said he wouldn't move forward with process changes without bipartisan support, and that several changes to reach that goal are already under consideration.

Keith Lake, vice president of government affairs for the Ohio Chamber of Commerce, told members of the Senate Government Oversight & Reform Committee reviewing the GOP's resolution (SJR 5) that his group prefers the approach taken in 2015, when a bipartisan agreement led to a General Assembly-backed ballot issue on legislative redistricting that was later approved by more than 70% of voters.

He noted the chamber had previously opposed two citizen-initiated constitutional amendments on the same subject, while the 2015 issue "was put on the ballot by overwhelming bipartisan majorities of the General Assembly and, most importantly, prevents one political party from controlling the process."

"The Ohio Chamber would prefer the congressional redistricting process be revised the same way - beginning with a proposal put on the ballot by the General Assembly after it has garnered support from strong bipartisan majorities," Mr. Lake said.

"While a step in the right direction, SJR5 is not yet that. Unfortunately, what we've observed up to this point is much criticism of SJR5 but not much in the way of constructive feedback. We urge everyone to work together to find a solution that does what our board urged in its 2012 resolution: develop 'an accountable, bipartisan approach that Ohio voters can rely on to produce effective reform and fair congressional districts.'"

Echoing opponents of the measure, Mr. Lake said it's important to revise the process appropriately because the current system "isn't working for Ohioans."

"It leads to diminished General Election competition and contributes to intensified partisanship and contentiousness, which turns off otherwise qualified potential public servants from pursuing office," he said.

Sen. Michael Skindell (D-Lakewood) said Democrats were ready to work on an agreeable plan, but Republicans have been reluctant to do so and instead rolled out a resolution without their input.

"We agree with you a measure needs to be bipartisan," he said.

Sen. Matt Huffman (R-Lima), the resolution sponsor, said he has "no intention of moving forward with a resolution out of the Senate...unless there is a change of Democratic support for it." He added that a one-sided plan would likely lose at the ballot anyway.

At that point in the committee hearing, the sponsor informed the audience that several changes were in the works, including making the commission's product a bill that must receive the governor's signature and be subject to a referendum. Taking the governor out of it was his idea, but people don't like it, he acknowledged.

In an interview before the hearing, Sen. Huffman said other changes under consideration would address several of the opponents' complaints with his package.

Those include "tightening language" on county splits and removing the provision dealing with one man, one vote requirements, he said. Altering the percentage of minority party buy-in on maps is also under consideration.

The sponsor said he plans more meetings with interested parties on the measure, which will not be voted out of committee Wednesday despite being slated for possible movement.

He hopes to resolve the differences over the next several days and have the resolution ready for a committee report next Tuesday, Sen. Huffman said. "I really think it's coming together."

Sen. Vernon Sykes (D-Akron) responded in committee to the sponsor's comments of the looming "substantial changes" by saying that Democrats would look closely at the totality of the plan and its expected results versus individual components.

"We are interested in addressing gerrymandering, not just changing how you do gerrymandering," he said.

Sen. Huffman responded, "We will work together on this and will come up with something good."

Mr. Lake's testimony stood out Tuesday as coming from an "interested party." All of the other witnesses, including representatives of a group that's already circulating petitions for a citizen-backed constitutional amendment - Fair Districts=Fair Elections - were listed as opponents.

Among them was Heather Taylor-Miesle, executive director of the Ohio Environmental Council, who said a more bipartisan approach is key to ultimately creating "fair, representative policies" on matters impacting the environment and other areas.

"Bipartisan solutions are more likely when voters select their elected officials and not the other way around, and keeping communities together gives voters leverage to demand action on the pollution going into the neighborhood creek or attention to the quality of their air," she said.

Ms. Taylor-Miesle raised several concerns with the approach laid out in the proposal at hand, including issues related to one person, one vote requirements, splitting of communities and the mapmaking process.

"The requirement under SJR5 to draw districts the exact same population size, with only a variance of plus or minus one person, basically negates any other criteria that could be followed," she said. The community splitting guidelines in the resolution are also problematic because they would be applied unevenly across the state.

Regarding the proposed mapmaking approval process, she added, saying at least 50% of the minority caucuses should be required.

"However, our bigger concern is the commission process outlined if the legislature fails to meet the deadline," Ms. Taylor-Miesle said, citing the ability to pass a four-year plan by a simple majority and then potentially turn it into a 10-year map.

OEC also raised concerns with the lack of a referendum option in the measure and its definition of "compact."

Sen. Huffman called the objections "meritorious arguments" but pointed to the varying sizes of cities and townships and asked if the preference would be to base on population. The witness said it was open to discussion on how to "get there" with the goal of ending up with bipartisan districts.

Asked about the group's objections to the judicial review aspect of the resolution, Ms. Taylor-Miesle said her group was looking for more clarity on language regarding Supreme Court review.

Chairman Sen. Bill Coley (R-Liberty Twp.) got into a debate over the Fair Districts proposal with one of several citizens who showed up to testify on their own behalf and express preference for the pending ballot initiative that supporters have said has already attracted some 200,000 signatures.

He asked Jane Cape, a Springfield resident, to explain the legal definition of "representational fairness" in the Fair District plan and how she would defend it in court.

After saying she was not a lawyer and wouldn't be in court under such a scenario, she replied that it was something that results in elections not being decided at the primary level.

As she continued to make her case, the chairman interjected that he had heard all of the "rhetoric" and "histrionics" over the matter, prompting a rebuke from Ms. Cape.

The result was applause from the audience and a subsequent gaveling from the chairman.

Another citizen, Wendy Dyer from Bellbrook, chastised the majority for presenting a plan that she said "legalizes gerrymandering" and was an attempt to get out ahead of and "circumvent" the public initiative.

Ann Henkener of the League of Women Voters of Ohio and a chief proponent of the Fair Districts=Fair Elections campaign, said the Huffman resolution "does nothing to rein in partisan gerrymandering and takes away an important right that voters in Ohio currently have - the right to referendum," while acknowledging the sponsor's prior statement that changes were in the works in that regard.

"Voters also have a right to fair representation and SJR5 perpetuates the ability of the majority party to draw districts designed to gain a disproportionate majority of seats for their party," she said in her prepared remarks. "I urge this Committee to reject this proposal and substitute a plan that will require bi-partisan support to adopt a redistricting plan, keep communities together, and not permit plans to be drawn to primarily favor or disfavor a political party."

Sen. Coley asked why, if the ability to referendum the map was so important, the ballot group didn't include it in their proposed constitutional amendment.

Ms. Henkener responded that the Fair Districts plan wouldn't result in a bill, and that as far as she knows no other state with a commission-based system allows for referendums.

The chairman also queried the LWVO representative on the definition of representational fairness.

She said it deals with the relation between the state's overall political leanings and the number of Congress members representing each party, or "keeping representation connected to the votes."

If 55% of Ohioans vote for Republicans, for instance, then the number of GOP representatives should reflect that split, she said.

Supporters of the citizen-backed ballot issue are not seeking a "concrete result," rather they are "looking for an opportunity" for both parties in the general election, Ms.

Henkener said. Under the current system, majority partisans "get an advantage that they really don't have with the electorate."

Sen. Coley said in response, "I don't think that's what your proposal does, but I appreciate" your aspirations.

All told, about 15 people testified or provided written comments in opposition to the proposal on Tuesday, with most largely reiterating objections aired previously by the Fair Districts group. (See Gongwer Ohio Report, January 22, 2018)

The House's version of the majority GOP's proposal, which Sen. Huffman said would follow along the lines of changes he is already considering, is slated to be discussed Wednesday in the chamber's Government Accountability & Oversight Committee.

Subscribers Note: Full testimony is available on the committee's website under Jan. 23.

Battle Lines Hold Firm On Right-To-Work, Prevailing Wage Proposals

Sponsors of a slate of right-to-work and prevailing wage resolutions said Tuesday they're confident caucus leaders will exercise their "due diligence" when considering whether to move forward.

But they acknowledged that they have yet to formally poll the House Republican Caucus on where members stand regarding their six joint resolutions introduced last month. (See Gongwer Ohio Report, December 21, 2017)

A spokesman for House Speaker Cliff Rosenberger, meanwhile, reiterated that the Clarksville Republican is open to having the conversation even as Democrats and a top labor group continue blasting the proposals as "anti-worker."

"The speaker is open to having a caucus discussion about this issue, and he believes doing so is very important before any further decisions or determinations are made in regards to these proposals," spokesman Brad Miller said.

Speaking at a Statehouse press conference, Rep. Craig Riedel (R-Defiance) and Rep. John Becker (R-Union Twp.) said they've been encouraged by the speaker's open-mindedness thus far.

"We've spoken with Speaker Rosenberger and we're going to be bringing this up in caucus very soon," Rep. Riedel said. "Hopefully within the next week or two we'll have a caucus discussion over these issues, these resolutions."

If adopted by lawmakers - a three-fifths majority is required - the proposals would head to the 2020 ballot where sponsors said Ohioans of all political persuasions can weigh in to settle the matter once and for all.

"We're not ramrodding anything," Rep. Riedel said. "People are going to say we are, but we're not. Everybody is going to have a say in the matter and everybody will have the opportunity to vote on this."

Two of the resolutions would ban any laws, rules or agreements requiring public and private sector employees to join or pay union dues (HJR 7~~00~~) and prohibit unions from representing non-members in employment matters (HJR 8~~00~~).

The other four, which Rep. Becker deemed more "ancillary in nature," would: prevent public authorities from requiring prevailing rate of wages (HJR 9~~00~~), forbid certain requirements or prohibitions regarding labor agreements in government contracts (HJR 10~~00~~), subject any public employee collective bargaining representative to an annual election to remain certified as the exclusive representative (HJR 11~~00~~), and prohibit dues and other fees from being deducted from the payroll check of a public employee (HJR 12~~00~~).

Unions and Democrats are already pushing back against the resolutions, saying Ohioans already voiced their opinions on the matter by repealing a 2011 law that limited collective bargaining for public employees (SB5, 129th General Assembly).

"Instead of restrictions to make working people poorer and less safe on the job, we should prioritize commonsense ideas that grow our economy and create good-paying jobs that give working families the opportunity to get ahead," Minority Leader Fred Strahorn (D-Dayton) said. "The Republican package of so-called 'right to work' legislation is wrong for working families and wrong for Ohio."

But Rep. Becker said there is "very little to almost nothing" in their new plans that overlaps with the contents of SB5 - an argument AFL-CIO President Tim Burga isn't buying. Mr. Burga said both SB5 and the current proposals are politically-motivated attempts to enact "anti-worker, anti-union" laws.

"You're picking a fight for political reasons at a time when Ohioans can least afford these sorts of unnecessary distractions," Mr. Burga said. "If they've not learned a lesson from SB5 I don't know what it's going to take to wake them up. But I am confident the General Assembly is not interested in introducing proposals that simply are going to take away workers' voices and drive down wages, which is what these things do when you look at them where they've been implemented in other states."

As far as driving down workers' wages, Rep. Riedel insists the opposite; he said his rationale behind the legislation is that it will assist the impoverished in his district by enabling them to keep more of their earnings.

"This is not an affront to unions, this is not an affront to collective bargaining," the sponsor said. "This is all about workers' rights and workers' freedom and being able to choose whether they want to be part of a union and worry about paying fair share fees."

Rep. Becker said that should the resolutions pass the General Assembly he's already envisioning a public campaign from opponents seeking to derail the ballot initiatives. He anticipates the campaign will play out like efforts to repeal the 2011 law.

"At least we'll know what to expect this time," Rep. Becker said.

We Are Ohio, a group that formed in 2011 to oppose SB5, issued a statement denouncing the resolutions as "the Dirty Half Dozen."

"Reps. Riedel and Becker are carrying water for out-of-state interests like the Koch brothers and the American Legislative Exchange Council," the group said. "There are no workers lining up behind these dangerous, divisive and disastrous ideas for Ohioans. Right to Work is wrong for Ohio. Don't trust it."

Rep. Becker said fellow Republicans have shared concerns that the proposals' potential place on the 2020 ballot might drive more Democratic voters to the polls in an important presidential election year.

Rep. Becker said he doesn't adhere to that line of thinking and instead believes Republicans will be more motivated to turn out to the polls compared to Democrats who are already typically mobilized for presidential elections.

Rep. Riedel added that the sponsors feel they need more time to educate the public on their propositions than they would have if they targeted the 2018 ballot.

But there is one concern that could have merit, Rep. Becker acknowledged, and that's whether the private sector right-to-work resolution flies in the face of federal employment law. In talking with the Legislative Service Commission, he said, the answer to that question has remained unresolved.

"Is it a violation of federal labor law?" Rep. Becker asked. "It could be. It's not clear whether it is or isn't."

Health Plans Raise Privacy Concerns With Claims Information Bill

Health insurers and a patient advocacy group urged lawmakers Tuesday not to move forward with a proposal to give small employers access to certain health claims data, saying it could jeopardize employee privacy.

The groups testified against the bill (SB 227) before the Senate Insurance & Financial Institutions Committee.

The bill is designed to help small businesses make better decisions in buying insurance by giving them aggregate, de-identified information about claims made under their plans.

Miranda Motter, president and CEO of the Ohio Association of Health Plans, opposed the measure, saying it would require plans to disclose protected claims information to small employers.

The disclosures could allow employers to identify specific employees for whom the claims data relates, she said. The bill requires the disclosure of all potential catastrophic diagnoses and prognoses involving persons covered under the policy.

"Small employers with fully insured plans are generally not entitled to know about the medical diagnoses, prognoses, and treatment of employees, which is personal in nature, without the employee's consent and providing claims data to small employers raises privacy concerns for employees," she said.

Smaller employers are much more able to associate claims data with specific employees than large employers, Ms. Motter said.

Federal health privacy laws have strict requirements regarding when protected health information can be shared with employers, who are not directly regulated by HIPAA, she said.

"Given that employers are not directly subject to HIPAA, sharing health information with employers creates substantial privacy risks," she said. "In fact, these substantial risks are exactly why HIPAA created significant barriers to sharing PHI with employers."

Small group plans are also priced based on demographic factors, not claims data, meaning they don't need claims data in order to purchase and maintain coverage, Ms. Motter said.

OAHF is working with other stakeholder groups to develop policies aimed at reducing the cost of health care, and Ms. Motter urged the committee not to move forward with the bill yet.

Sen. Steve Wilson (R-Maineville) asked why the line between small and large employers was set at 50.

"The larger the employee group, the harder it becomes to re-identify, even in a de-identified way, the employee affected," Ms. Motter said.

Small employers could benefit from being able to compete directly against larger businesses in that market, Sen. Wilson said.

If health insurance costs are increasing, it's because the underlying cost of care is high, Ms. Motter said.

"Part of what our effort has been is if we're going to see insurance costs go down, we have to get at the underlying cost of health care," she said.

Holly Pendell, with the National Multiple Sclerosis Society, raised concerns that the bill would allow small businesses to identify employees with MS.

"Protecting against discrimination in employment and many other aspects of American life has been a core component of the education and understanding that the MS Society has promoted since our establishment," she said.

"I urge you to err on the side of the consumer today and of the protections given to them by law," she added. "We must not tip the balance away from comprehensive benefits and medical privacy protections and return to era where employees live in fear of being outed due to their medical diagnosis."

Senate Democrats Scrutinize SNAP Fraud Bill

Democrats questioned a bill intended to reduce fraud in the food stamp program by requiring photos on benefit cards as the measure had its first hearing in the Senate Tuesday.

The sponsor of the bill (HB 50) told the Senate Health, Human Services & Medicaid Committee that it wouldn't reduce benefits, but would deter recipients from selling or trading cards.

Rep. Tim Schaffer (R-Lancaster) said the bill is designed to protect the integrity of the Supplemental Nutrition Assistance Program, deter trafficking in SNAP cards and preserve funds for those in need.

The bill stems from an audit of the SNAP program by State Auditor Dave Yost that found weaknesses. Those included excessive balances in accounts, unusual transactions, 36 deceased recipients and more than \$28.7 million in out-of-state spending.

The measure would require that photos be added to EBT SNAP cards, safeguarding benefits of those who are legally entitled to them and deterring and detecting crime where cards are sold or traded, Rep. Schaffer said.

"SNAP is an important safety net for those in Ohio who have fallen on rough times, and I believe that a vast majority of individuals enrolled in the program need the benefits," he said. "As lawmakers, we have a responsibility to assure program integrity."

The bill includes exemptions to the photo requirement for adults 60 and older, blind and disabled citizens, victims of domestic violence or people with a religious objection to being photographed.

Retailers would not be required to check the photo ID at check-out, nor would they be allowed to hinder or prevent anyone's purchase because of the photo ID. Retailers would be able to call a phone number to report suspected fraud.

The bill also includes an opt-in provision for any adults exempted from the photo requirement who wish to have a photo on their cards, and allows the Bureau of Motor Vehicles to share photos on file. Both of those provisions were added in committee in the House.

Sen. Edna Brown (D-Toledo) said she was confused about the need for the bill. She asked about the provision that would prevent clerks from interfering with transactions.

The sponsor said the presence of a photo would deter people from trading or selling the cards, and that it would make it easier for drug investigators who find stacks of EBT cards at drug houses.

"This is just another layer of security," he said. "Frankly, this is not going to be a cure-all bill to solve all fraud. But it'll be a big deterrent and it'll cut a big hole in the crime that's going on."

Sen. Brown asked why the presence of names on EBT cards doesn't deter sales or trading.

Rep. Schaffer said he believed photos would provide additional deterrents.

Sen. Brown said law enforcement officers can already track EBT cards back to their owners if they are found.

"If we want to try to curtail misuse of these cards, I'm willing to work with anyone who wants to curtail it, but putting a photo on it is not the way to do it," she said.

Sen. Charleta B. Tavares (D-Columbus) said the bill implies that people whose cards are found in the possession of drug dealers are involved in drugs or are selling them.

"That is not evidence that that person is involved in drugs," she said. "There are many cards that are stolen out of mailboxes. There are many drugs that are stolen out of purses, or out of cars. They're stolen or they're lost."

Rep. Schaffer said the vast majority of beneficiaries need the program, and he wouldn't support a bill that curtailed benefits to people who need help. The bill is designed to address the issue of fraud and ensure benefits are going to the right people, he said.

Sen. Tavares said many retail grocers are moving away from clerks and toward self-serve kiosks, where nobody will look at cards.

"How do you justify continuing when movement is to do away with clerks in our retail chains?" she asked.

The sponsor said clerks don't have a role unless they suspect fraud.

"It's a lot about deterrent," he said.

Telecom Update Would Drive Investment, Industry Group Says

The Ohio Telecom Association and its members on Tuesday told a panel of lawmakers that Ohio is overdue for a comprehensive update of telecom laws.

Their testimony, delivered before the House Public Utilities Committee, centered on a bill (HB 402) from Rep. Brian Hill (R-Zanesville) that aims to boost the competitiveness of local telephone providers. (See Gongwer Ohio Report, November 13, 2017)

The bill's major change would enable carriers to pursue from the Public Utilities Commission of Ohio rate increases of \$1.25 a month or 20% depending on which is higher. Currently, those providers in competitive areas can seek increases of only \$1.25 a month.

OTA President Charles Moses described the sector as a "dynamic industry that continues to change every day" - a description spelled out in a 2017 study released by the group that prompted the bill. (See Gongwer Ohio Report, October 20, 2017)

"In this type of environment, it is hard for laws and regulations to keep up," Mr. Moses said. "Traditionally, Ohio has been a leader in progressive telecom policy. However, it has been eight years since the last major update to Ohio's telecommunications laws took place."

The Ohio Consumers' Counsel, however, has already called for the bill to be rejected, arguing it would "favor telephone companies against the interest of Ohio consumers, including by allowing 20% annual increases for basic phone service."

The proponents, in turn, argued that companies are incentivized not to raise rates too high because customers will simply seek out other service providers.

"No one is interested in losing customers," OTA General Counsel Scott Elisar told lawmakers.

Rep. John Rogers (D-Mentor-on-the-Lake) questioned how much this might cost consumers. Mr. Elisar provided a few specific companies as examples, saying on average it would amount to a few dollars a year.

Mr. Elisar called the bill "an effort to update old laws, modernize state policy, and level the playing field for all providers in response to explosive competition we've seen in the past decade."

The OTA suggested the bill would: provide additional pricing and regulatory flexibility, mirror Ohio law with federal guidelines, and "clean-up" items from the prior legislative overhaul (SB 162, 128th General Assembly).

Specific policy updates included in the bill, according to Mr. Elisar, include:

- Updating the state's policy statement to recognize emergence of competition and market forces.
- Expanding 911 immunity to include corporate parents and affiliates.
- Eliminating treble damages remedy against telephone companies while ensuring telephone companies remain liable for actual damages.
- Providing that no provision of the bill affects existing contractual obligations or rights under federal law or rules.

Josh Motzer, public policy director for CenturyLink, said the bill will provide a "pathway for future technology investments here in the state."

And Bruce Mottern, chairman of the Rural Broadband Association, said it's critical to eliminate competitive advantages among certain carriers. The bill, he said, would clear regulatory burdens from rural providers in order to better meet customer demands.

In addition to the \$1.25 or 20% increase, Mr. Mottern said, the bill will enable small local exchange companies to increase rates by any amount necessary to meet federal benchmarks. In that case, the PUCO could enact a three-year phase-in to lessen consumer impact, he said.

"This flexibility allows companies to manage their businesses based on operational, financial and competitive needs," he said. "There are plenty of alternative voice service providers in Ohio; the last thing a company wants to do is lose a valued customer."

Groups Call For More Specificity On Bail Assessment Tools

A bill designed to drastically overhaul the bail system in Ohio needs more work, members of the House Criminal Justice Committee were told Tuesday.

Representatives from the ACLU of Ohio and the Office of the Ohio Public Defender suggested several changes to the legislation (HB 439) requiring the Criminal Sentencing Commission to create a list of validated risk-assessment tools to be used by courts across the state in making decisions on bail.

But Niki Clum, legislative liaison for OPD, said not all risk-assessment tools are created equal.

She said Lucas County's use of the "Arnold Tool" has doubled the number of individuals released without monetary bail while also reducing pretrial crime and the number of individuals who fail to appear in court.

"Under the current language of the bill, the Sentencing Commission is not required to examine the risk-assessment tools and determine which are best," Ms. Clum said. "They are only required to provide a list of those that are validated. OPD is concerned that some risk assessment tools may contain implicitly biased questions that result in disproportionate outcomes based on race, ethnicity or gender."

Ms. Clum also called for the bill to require courts to set the least restrictive bail conditions and use monetary bail as a last resort.

Gary Daniels, chief lobbyist for the ACLU of Ohio, echoed those sentiments. He also called for the measure to eliminate monetary bail for all misdemeanor charges and some felony charges and for requiring the collection of race-based data.

"By tracking race of the accused, stakeholders can help determine where in Ohio, and by how much, Ohio's bail system and the changes HB439 creates, affects people of color," he said. "Flaws can also then be addressed and successes can be expanded. Collecting race data throughout Ohio's justice system is already severely lacking. With HB439, we can make progress in one aspect."

But Ms. Clum and Mr. Daniels said that, minus any changes, the bill is still an improvement over the current system. Both testified as interested parties.

Daniel Dew, legal fellow at the Buckeye Institute, warned in interested party testimony that the \$2 billion per year bail bond industry will likely push back against the bill.

"How pretrial detention decisions are made is left to the state," he said. "The goal of a pretrial system should be to release as many defendants as safely as possible before trial, and for defendants to show up for court."

Rep. Bill Seitz (R-Cincinnati) questioned how much an ability to pay should be weighed in bail decisions.

Mr. Dew said that is just one factor to be taken into consideration. He said under current law, courts will set an extremely high bail for individuals deemed to be dangerous with the hope that they cannot pay.

"Not only does this make it more fair, it takes judges and prosecutors out of the position of asking for a \$2 million bail knowing somebody isn't going to make it," he said.

Rep. Seitz also questioned how effective the risk-assessment tools are in lowering failure to appear rates.

Mr. Dew said in every study he has read the rate has been the same or lower.

Sara Andrews, director of the Criminal Sentencing Commission, said the bill reflects the recommendations of an Ad Hoc Committee on Bail and Pretrial Services that was formed in 2016.

"Those recommendations are designed to be holistic and focus on achieving consistency, fairness and efficiency in the pretrial system while decreasing the reliance on monetary bail," she said in proponent testimony. "As such, the use of a validated risk assessment instrument to inform release or detain decisions - realizing that bond should be 'risk' based and not 'charge' based - is recommended. The use of a risk assessment tool is one more resource a judge can use to inform decisions and ensure equity in all steps of the bail-setting process."

Rep. Seitz raised several concerns with the bill, including what he called an "impenetrable black box" in the form of the "Arnold Tool" used in Lucas County.

Ms. Andrew said that may have been the case at one time, but that has since changed. "I believe that it is more accessible and publicly available," she said.

The panel also received proponent testimony from FreedomWorks and the American Conservative Union Foundation.

Patrick Plein, a policy analyst at the ACUF's Center for Criminal Justice Reform, said studies have found that the likelihood of being rearrested or recidivating increases when an individual is held in pretrial confinement.

"The impact of this worrisome trend goes far beyond any one defendant," he wrote. "Anything that encourages recidivism means another crime, which is another victim, another prosecution, and another cost to be borne by the public. The current system in Ohio does just that. As a result, Ohioans are paying more in taxes for less public safety, because of the current approach to bail."

Parma Municipal Court Judge Kenneth Spanagel also provided written interested party testimony in which he urged the panel to move the bill.

ECOT Appeals Closure, Says Founder Will Waive Fees To Prevent Budget Shortfall

The Electronic Classroom of Tomorrow is appealing the decision that shut it down, saying it could remain fiscally stable through the end of the school year by no longer paying management and learning platform fees.

The e-school's sponsor, Educational Service Center of Lake Erie West, voted last week to suspend operations of the school amid financial concerns.

ECOT is strapped for cash because it's repaying the state for \$80 million in overpayments tied to attendance audit findings, which are being disputed in a lawsuit pending before the Ohio Supreme Court.

In its latest appeal, ECOT said its founder Bill Lager, who owns the management company and learning platform used by the school, has agreed to forgo payment for the

rest of the year to allow the school to reopen and finish out the academic year in the black.

Also part of the deal is continued monthly repayments to the state and an agreement that an interim master could be appointed by a court to oversee ECOT operations through the end of the school year.

"This is truly the best option for the thousands of ECOT families who have been grappling with this devastating news that their school would be closing its doors mid-year," ECOT spokesman Neil Clark said. "This plan effectively gives supervision of the school to a court-appointed master to ensure the school continues out its mission for a few more months while we wait for a favorable response from the Ohio Supreme Court."

Mr. Clark also took a shot at the Department of Education, which rejected a similar deal immediately prior to the sponsor's vote to shut down the school last week. That proposal also promised that ECOT wouldn't file any future lawsuits against the agency regarding attendance audits.

"Bill Lager suspending his fees through June shows another attempt to keep ECOT alive. It is unfathomable that the powers at be at ODE and the Governor's office aren't protecting ECOT students and families," he said.

ODE Spokeswoman Brittany Halpin defended the agency's handling of the situation, saying that it has attempted to work with ECOT for the last two years to resolve issues related to overpayment and full-time attendance audits.

It has become clear in that time, she said, the school and its backers have never intended to accurately report student participation, which determines funding.

A hearing officer this week confirmed the latest audit report findings that show the school over reported the number of full-time students again last school year. The State Board of Education is expected to vote to approve that report, which cites \$20 million in overpayments, at its February meeting.

"Based on their actions, the department has no confidence that ECOT intends to follow the law. We're disappointed that ECOT and its for-profit vendors, IQ Innovations and Altair Learning Management, continue to prioritize their monetary gain over the best interests of 12,000 students," Ms. Halpin said in a statement.

However, lawmakers on Tuesday also called on the state to step in to keep ECOT open until June, giving students and teachers time to evaluate their options for moving on to a new school next year.

They stressed that every day the school is closed, 12,000 students - including more than 2,200 seniors who were on track to graduate this spring - are falling farther behind in their schooling.

"It would be ideal if we could finish the school year," Rep. Andy Thompson (R-Marietta) said during a Statehouse news conference.

Rep. Andy Brenner (R-Powell), chairman of the House Education and Career Readiness Committee, said there's also concerns about ECOT teachers who will have difficulty finding work mid-year.

Like Mr. Clark, he said ODE could have prevented the midyear closure of the school by setting up a different repayment plan.

"While it's not the department's responsibility to close the school but that of the school sponsor, the department created the environment that caused the school to close midyear," Rep. Brenner said. "This is not to say that ECOT wasn't responsible for their actions, but the midyear closing could have been mitigated or prevented."

Rep. Brenner said he's working on legislation that would "prevent this from happening again."

The potential bills could prohibit the department from setting retroactive rules and require it to use forensic accounting and other options for determining whether students were active in learning opportunities when log-in records can't be produced, he said.

He said he'd also like to ensure that schools don't close in the middle of the year and ODE has firm plans in place to assist displaced students and teachers when schools do shut down.

"Every day that they're not in school is another day that they're not able to learn and be able to go and potentially this graduate...or go on to the next school year," Rep. Brenner said of currently displaced ECOT students.

ECOT Assistant Principal Laura Beth McNamara said the school could resume operations immediately if the sponsor accepts the deal brought forward Tuesday.

"The student accounts are still there, most of them still have their equipment. We haven't had a chance to gather up 12,000 computers yet," she said.

She and the Ohio Christian Alliance have reached out to Gov. John Kasich and asked him to intervene and press the sponsor and ODE to consider options to keep ECOT open for the remainder of the school year.

"There is a way forward," OCA President Chris Long said before delivering his letter to the governor's office.

The governor told reporters last week that it wouldn't be appropriate for him to advise ODE on how to respond to the situation.

The superintendent of public instruction, who leads the agency, is not in the governor's cabinet and is instead hired by the State Board of Education to serve independently of the administration.

"It is up to them to manage this, to have a situation where if the sponsor pulls (its support)...that they're prepared to be able to absorb these students," Gov. Kasich said at the time. "We've told them that on a regular basis without getting in the middle of negotiations. We don't believe it's our job to do that. It's not appropriate."

High Court Sides With Arrestee In Dispute Over Purse Search

The Ohio Supreme Court on Tuesday ruled the warrantless search of a woman's purse was unconstitutional.

Writing for the majority, Justice Bill O'Neill found that the search, which turned up drugs, was not justifiable.

The case stems from the 2014 arrest of Jamie Banks-Harvey in Warren County after she was stopped by an Ohio State Highway Patrol officer and was found to have outstanding warrants on drug charges out of Montgomery County, the high court's media arm reported.

After she was detained and placed in a cruiser, the patrolman removed her purse from the vehicle she was driving, searched it and found drugs. Ms. Banks-Harvey was charged with felony possession of drugs and misdemeanor possession of drug paraphernalia.

She pleaded no contest to both charges after an unsuccessful attempt to suppress the evidence. She was sentenced to three years community control.

She appealed the trial court's decision not to suppress the evidence to the Twelfth District Court of Appeals, which upheld the ruling on the grounds that the OSHP has a policy of inventorying the belongings of an arrested person.

But Justice O'Neill found that both courts erred in their decisions.

"The question in this case is not whether the purse was taken from the car pursuant to a standardized law-enforcement policy, but whether such a policy was sufficient justification for the warrantless retrieval of the purse from the car," he wrote. "We conclude that it was not and therefore that the subsequent search of the purse did not qualify as a valid inventory search, because the purse had not lawfully come into the custody of the police."

He was joined in his decision by Justice Judith French and Justice Patrick Fischer. Justice Sharon Kennedy concurred in judgement only.



House Activity for Tuesday, January 23, 2018

INTRODUCED AND REFERRED

- HB 478** ■ **WIRELESS SERVICES** (Smith, R., LaTourette, S.) To modify the law regarding wireless service and the placement of small cell wireless facilities in the public way. Am. 4939.01, 4939.02, 4939.03, 4939.031, 4939.035, 4939.038, 4939.0311, 4939.0313, 4939.0315, 4939.0319, 4939.0321, 4939.0325, 4939.04, and 4939.08; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 4939.035 (4939.036), 4939.038 (4939.037), 4939.039 (4939.038), 4939.0313 (4939.0312), 4939.0315 (4939.0313), 4939.0317 (4939.0315), 4939.0319 (4939.0316), 4939.0325 (4939.0322), and 4939.0327 (4939.0323) and to enact new sections 4939.039 and 4939.0317 and sections 4939.0314, 4939.0329, and 4939.09, and to repeal sections 4939.032, 4939.033, and 4939.037
- Government Accountability & Oversight
Gongwer Coverage

INTRODUCED

- HB 473** ■ **LOCAL FUNDING** (Young, R.) To credit additional amounts to the Local Government Fund to provide for payment to fire districts that experienced a 30% or more decrease in the taxable value of power plants located in the districts between 2016 and 2017 and to increase the appropriation to the Local Government Fund. Am. 5747.50 of the Revised Code and to amend Section 387.10 of Am. Sub. H.B. 49 of the 132nd General Assembly
- HB 474** ■ **LICENSE PLATE** (Antani, N.) To create the "Trees 4 Ohio" license plate. Am. 4501.21 and to enact section 4503.941
- HB 475** ■ **SKATEBOARDING** (West, T.) To prohibit a person riding a skateboard or the operator of a vehicle from attaching the skateboard or the rider to the vehicle and to name this act the "Dallas Swogger Act." Am. 4511.54
- HB 476** ■ **ORGAN DONATIONS** (Koehler, K.) To require the Registrar of Motor Vehicles and each Deputy Registrar to ask each person renewing a motor vehicle registration if that person wants to make a voluntary contribution to



Senate Activity for Tuesday, January 23, 2018

COMMITTEE HEARINGS

Health, Human Services & Medicaid

HB 145 **CONFIDENTIAL TREATMENT** (Huffman, S., Sprague, R.) To provide for the establishment of a confidential program for the treatment of certain impaired practitioners and to declare an emergency. (**REPORTED-AMENDED**; 4th Hearing -All testimony-Possible vote)

The committee voted unanimously to report the bill after accepting two amendments. The first amendment, offered by Chairman Sen. Dave Burke (R-Marysville), deals with the potential of a move of Medicaid long-term services and supports into managed care. That proposal was hotly debated in the budget, with the General Assembly putting a limit on the administration's plan to implement the move, and Gov. John Kasich vetoing the language. The issue was resolved when the Kasich administration announced it would not begin the move.

The amendment states that the General Assembly would have the final say in whether Medicaid can move long-term care services to managed care, said Sen. Scott Oelslager (R-N. Canton).

The other amendment includes language considered but tabled in December dealing with the move of the regulation of dieticians and respiratory care providers to the State Medical Board. (See Gongwer Ohio Report, December 5, 2017)

HB 286 **PALLIATIVE CARE** (LaTourette, S.) To create the Palliative Care and Quality of Life Interdisciplinary Council, to establish the Palliative Care Consumer and Professional Information and Education Program, and to require health care facilities to identify patients and residents who could benefit from palliative care. (**CONTINUED-AMENDED**; 1st Hearing-Sponsor & Possible amendments)

The committee accepted an amendment offered by Sen. Burke that adds exercise physiologists to list of experts that can be appointed to the interdisciplinary council, clarifies what non-hospice palliative care candidates may receive the service from a hospice facility, and makes technical corrections.

Sponsor Rep. Sarah LaTourette (R-Chagrin Falls) said the bill would create an interdisciplinary council and education program to raise awareness about palliative care. Palliative care, in which a patient's quality of life is improved by reducing symptoms, pain and stress by giving them more control, is appropriate at any point in an illness, not just at the end of life.

"Palliative care is appropriate at any age and at any stage of a serious illness, but when palliative care is mentioned many people do instantly think of 'hospice care' and the

conversation stops," she said. "Because of this, palliative care is drastically and disappointingly underutilized in our state."

The council would include members from fields that work closely with palliative care recipients, and would serve as an advisory council to the Department of Health," Rep. LaTourette said. "The bill also creates an education program to inform patients and medical providers about the care."

Sen. Bill Beagle (R-Tipp City) asked what the council's main objective would be.

The sponsor said education is important, because if people don't know about palliative care, they won't take advantage of it. The council would also be required to submit annual reports to the General Assembly.

HB 50 **EBT CARDS** (**Schaffer, T.**) To establish requirements for electronic benefit transfer cards issued under the Supplemental Nutrition Assistance Program. (CONTINUED (See separate story); 1st Hearing-Sponsor)

SB 110 **HEALTH CARE IDENTIFICATION** (**Tavares, C.**) To require a health care professional to wear identification when providing care or treatment in the presence of a patient. (CONTINUED; 1st Hearing-Sponsor)

The bill would require certain health care professionals to wear an identification card, badge or similar device, including a photograph, when providing care, sponsor **Sen. Charleta B. Tavares** (D-Columbus) said. The badge would be required to include the person's licensure status and staff position.

"Without this legislation it is all too easy for patients to confuse who is and is not a licensed health care professional," she said. "It is also very easy for unlicensed or unqualified individuals to administer care to unaware patients. The misrepresentation of the level of training held by health care professionals is dangerous and can result in the loss of a loved one's life."

The sponsor detailed the story of a patient in South Carolina who ultimately died from complications from a pain reliever after surgery and whose mother repeatedly asked for a veteran physician at the hospital to examine him, but was only met by residents.

"It is vital that health care professionals are required to wear identification of who they are and what their level of training is in order to insure the utmost level of transparency between patients and health professionals," she said.

Sen. Peggy Lehner (R-Kettering) asked the sponsor if she has checked with hospitals to see if it is already in practice.

Sen. Tavares said she didn't know how common of a practice it is, particularly in smaller hospital systems and practices.

Sen. Edna Brown (D-Toledo) said many people wear badges backwards, and suggested that the requirement be that the name and status be visible.

That's the intent of the bill, Sen. Tavares said, but it could be made explicit in the bill.

SB 192 **AWARENESS WEEK** (**Tavares, C.**) To designate the last week of September as "Diaper Need Awareness Week." (CONTINUED; 1st Hearing-Sponsor)

Sen. Tavares said her bill would designate the final week of September as Diaper Need Awareness Week, focusing on the need by low-income families of diapers and to rally support for diaper bank programs.

"Children in low-income families are at the greatest risk of suffering the effects of diaper need because many families cannot afford diapers," she said. "Current public support programs help some, but young children have additional needs necessary to build a strong foundation for healthy growth. More awareness needs to be brought to such a critical but oftentimes overlooked necessity for Ohio families."

Temporary Assistance for Needy Families is the only federal program that can cover diapers, and families are often forced to choose between diapers and other services TANF covers, such as heat, electric, rent, clothing and transportation, Sen. Tavares said.

"This bill is simply meant to bring attention to this important need and to encourage those of us with a little extra to donate to the Diaper Banks in our communities or to start them," she said.

Insurance & Financial Institutions

HB 362 **HPRS RETIREMENT** (Carfagna, R., Ramos, D.) To revise the law governing the State Highway Patrol Retirement System. (**CONTINUED**; 2nd Hearing-All testimony)

Mark Atkeson, executive director of the Ohio Highway Patrol Retirement System, said the bill would help the pension fund ensure continued solvency.

The bill would return the minimum retirement age to 52 for new hires after Jan. 1, 2020, calculate pension benefits for off-duty disabilities based on a minimum 12-year service benefit instead of 20 years, and eliminate the automatic 50% unfunded survivor benefit, creating a set amount of \$900, increasing annually as the board determines.

The measure would also provide no survivor benefits for those who marry after retirement.

"These changes reduce the amortization period of our unfunded actuarial accrued liabilities by several years, and when these changes are fully realized, they will have a compounding cumulative effect on reducing our unfunded liabilities," he said. "In addition, these are considered best practices and are consistent with other similar systems."

Robert Booker, president of the Ohio Highway Patrol Retirees' Association, said the changes are needed to ensure the system's long-term health.

"Like with other pension systems, our system continues to face actuarial assumption changes that have not been seen before," he said. "Probably, the most significant change was the reduction of the investment assumed rate of return. These assumption changes increase the unfunded actuarial accrued liabilities of a pension system. The legislative changes the HPRS board has approved are necessary and will decrease the amortization period of the system's unfunded actuarial accrued liabilities by several years, thus improving its solvency."

In written testimony, HPRS Board member Matt Them voiced support for the proposal.

"I realize no one wants to see any change in benefits, myself included, but this legislation is in the best interest of the retirement system and its long-term solvency," he said. "Thus, in the long-run, a solvent and well-funded system will benefit all of us individually."

Chairman **Sen. Jay Hottinger** (R-Newark) said he hopes to vote the bill out of the committee next week.

SB 227 **HEALTH PLAN CLAIMS** (**Huffman, M.**) To require health plan issuers to release certain claim information to group plan policyholders. (**CONTINUED (See separate story)**; 3rd Hearing-Opponent & interested party)

Government Oversight & Reform

SJR 5 **CONGRESSIONAL REDISTRICTING** (**Huffman, M.**) To establish a process for congressional redistricting. (**CONTINUED (See separate story)**; 1st Hearing-All testimony)

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Daily Activity Planner for Wednesday, January 24

Legislative Committees

House Health (Committee Record) (Chr. Huffman, S., 466-8114), Rm. 121, 9 a.m.

HB 191 **NURSE ANESTHETISTS** (Gonzales, A.) Regarding the practice of certified registered nurse anesthetists. (3rd Hearing-Proponent)

Senate Ways & Means (Committee Record) (Chr. Eklund, J., 644-7718), South Hearing Rm., 9 a.m.

HB 24 **VETERAN ORGANIZATIONS** (Ginter, T.) To modify the existing tax exemption for veterans organizations' property to include property of certain veterans organizations exempt from federal taxation under section 501C(4) of the Internal Revenue Code and to exclude property that is not used primarily for meetings, administration, and the provision of programs and services to past and present members of the United States armed forces. (2nd Hearing-Proponent)

HB 292 **OHIO RESIDENCY** (Scherer, G.) To modify the test for determining an individual's state of residence for income tax purposes. (2nd Hearing-Proponent)

SB 226 **TAX HOLIDAY** (Bacon, K.) To provide for a permanent three-day sales tax "holiday" each August during which sales of clothing and school supplies are exempt from sales and use tax. (3rd Hearing-All testimony)

Senate Government Oversight & Reform (Committee Record) (Chr. Coley, B., 466-8072), Finance Hearing Rm., 9:45 a.m.

SJR 5 **CONGRESSIONAL REDISTRICTING** (Huffman, M.) To establish a process for congressional redistricting. (2nd Hearing-All testimony-Possible amendments & vote)

House Insurance (Committee Record) (Chr. Brinkman, T., 644-6886), Rm. 116, 10 a.m.

- **Presentation by Ohio State Highway Patrol Lt. Steven M. Click on the Ohio ASSIST (Aiding Safety Services with Incident Survival Techniques) Program**

HB 459 **WORKERS' COMPENSATION** (Henne, M.) To allow groups of employers to be granted status as a self-insuring employer for purposes of the Workers' Compensation Law. (1st Hearing-Sponsor)

HB 416 **HEALTH SERVICE PRICES** (Huffman, S.) Regarding the provision of cost estimates for scheduled health care services and health care services requiring insurer preauthorization. (2nd Hearing-Proponent)

House Transportation & Public Safety (Committee Record) (Chr. Green, D., 644-6034), Rm. 017, 10 a.m.

- HB 293** **DRIVER'S LICENSES** (Scherer, G., Sheehy, M.) To require a person to hold a temporary instruction permit for one year before obtaining a probationary driver's license and to alter the time periods during which the holder of a temporary instruction permit or probationary driver's license is prohibited from operating a motor vehicle without being accompanied by a parent or guardian. (3rd Hearing-Proponent & opponent-Possible substitute)
- HB 350** **ROAD NAMING** (Craig, H.) To designate a portion of State Route 317 in Franklin County as the "Patrolman Dane L. Rowe Memorial Highway." (1st Hearing-All testimony-Possible vote)
- HB 421** **VEHICLE TITLES** (Patterson, J., Becker, J.) To provide that when a certificate of title is issued for a motor vehicle, the owner may request that the certificate indicate that the motor vehicle is a replica vehicle. (1st Hearing-Sponsor)
- HCR 20** **VEHICLE CRASHES** (Schaffer, T.) To urge Congress to encourage the Administrator of the FMCSA to change the crash indicator BASIC regulation standards to consider only crashes in which the driver was at fault for the crash. (1st Hearing-Sponsor)
- HB 400** **BRIDGE NAMING** (Holmes, G.) To designate the bridge spanning Squaw Creek, that is part of State Route 169 in Trumbull County, as the "World War I and World War II Veterans Memorial Bridge." (1st Hearing-All testimony-Possible vote)
- HB 401** **BRIDGE NAMING** (Holmes, G.) To designate the bridge spanning Squaw Creek, that is part of United States Route 422 in Girard, as the "Purple Heart Veterans Memorial Bridge." (1st Hearing-All testimony-Possible vote)
- HB 388** **LICENSE PLATE** (Sykes, E., Roegner, K.) To create the "Stan Hywet Hall and Gardens" license plate. (1st Hearing-All testimony-Possible vote)

House Higher Education & Workforce Development (Committee Record) (Chr. Duffey, M., 644-6030), Rm. 115, 11 a.m.

- HB 58** **CURSIVE HANDWRITING** (Brenner, A., Slaby, M.) To require instruction in cursive handwriting. (6th Hearing-Sponsor)
- HB 449** **SPONSOR RATINGS** (Rogers, J., Patterson, J.) To require the Department of Education to attribute any community school sponsor ratings an entity received during its relationship with a state university board of trustees to that entity even if it no longer has a relationship with the university. (1st Hearing-Sponsor)

Senate Rules & Reference (Committee Record) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 11 a.m.

House Rules & Reference (Committee Record) (Chr. Rosenberger, C., 466-3506), Rm. 119, 12:15 p.m.

House Session (Committee Record) (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.

Senate Session (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 1:30 p.m.

House Civil Justice (Committee Record) (Chr. Butler, J., 644-6008), Rm. 121, 2:30 p.m.

HB 407 **ESTATE LAW** (Dever, J., Seitz, B.) To abolish the estate by dower. (3rd Hearing-All testimony-Possible vote)

HB 446 **POWER OF ATTORNEY** (Rogers, J., Seitz, B.) Relative to the acceptance of an acknowledged power of attorney. (1st Hearing-Sponsor)

House Armed Services, Veterans Affairs & Homeland Security (Committee Record) (**Chr. Johnson, T.**, 466-2124), Rm. 116, 2:30 p.m. or after session

HR 318 **ARMED FORCES** (Dever, J.) To urge the President and Congress of the United States, and the Secretary of Defense, to authorize the recruitment of individuals with disabilities for service in the Armed Forces of the United States. (1st Hearing-Sponsor)

HB 434 **LICENSE PLATES** (Sweeney, M., Perales, R.) To create the "Army Distinguished Service Cross," the "Navy Cross," the "Air Force Cross," and the "Coast Guard Cross" license plates. (1st Hearing-Sponsor)

House Government Accountability & Oversight (Committee Record) (**Chr. Blessing, L.**, 466-9091), Rm. 313, 2:30 p.m. or after session

- 2nd Hearing-Proponent testimony on bill from Rep. Schuring on redistricting

HB 87 **COMMUNITY SCHOOLS** (Roegner, K.) Regarding public moneys returned to the state as a result of a finding for recovery issued pursuant to an audit of a community school. (6th Hearing-All testimony-Possible vote)

HB 478 **WIRELESS SERVICES** (Smith, R., LaTourette, S.) To modify the law regarding wireless service and the placement of small cell wireless facilities in the public way. (2nd Hearing-Proponent)

HB 382 **UNEMPLOYMENT COMPENSATION** (Schuring, K.) To modify terms describing payments made under the Unemployment Compensation Law, to increase the amount of wages subject to unemployment compensation premiums, to require qualifying employees to make payments to the Unemployment Compensation Insurance Fund, to allow the Director of Job and Family Services to adjust maximum weekly benefit amounts, to reduce the maximum number of benefit weeks, and to make other changes to the Unemployment Compensation Law. (10th Hearing-All testimony)

HJR 4 **UNEMPLOYMENT COMPENSATION** (Schuring, K.) Proposing to enact Section 2t of Article VIII of the Constitution of the State of Ohio to allow the General Assembly to provide by law for the issuance of bonds to pay unemployment compensation benefits when the fund created for that purpose is or will be depleted or to repay outstanding advances made by the federal government to the unemployment compensation program. (10th Hearing-All testimony)

HB 462 **HOSPITAL CLOSINGS** (Schuring, K., West, T.) To require that a for-profit hospital and its affiliated health care facilities in certain counties follow specified procedures before ceasing operations or closing, and to declare an emergency. (3rd Hearing-All testimony-Possible vote)

- HB 301** **CONSENT DECREES** (Butler, J.) To require the approval of the General Assembly for a state agency to agree to a consent decree or court-approved settlement agreement that would alter or prohibit the enforcement of a law of this state. (1st Hearing-Sponsor)
- SB 223** **USED TIRES** (LaRose, F.) To prohibit the installation of unsafe used tires on certain motor vehicles. (1st Hearing-Sponsor)
- SB 127** **WASTE COLLECTION VEHICLES** (LaRose, F.) To require motor vehicle operators to take certain actions upon approaching a stationary waste collection vehicle collecting refuse on a roadside. (1st Hearing-Sponsor)
- House Community & Family Advancement** (Committee Record) (**Chr. Ginter, T., 466-8022**), Rm. 114, 3 p.m. or after session
- HB 427** **SUBSTANCE ABUSE** (Young, R.) To require the Department of Health to publish monthly drug overdose death information for each county, to create grant programs to support faith-based substance abuse services, to authorize an income tax deduction for physicians providing such services for free, and to allocate funds and make an appropriation for the grant programs. (1st Hearing-Sponsor-Possible substitute)
- HB 366** **CHILD SUPPORT** (Gavarone, T.) To make changes to the laws governing child support. (5th Hearing-All testimony-Possible vote)
- House Federalism & Interstate Relations** (Committee Record) (**Chr. Roegner, K., 466-1177**), Rm. 115, 3:30 p.m. or after session
- HB 253** **CONCEALED WEAPONS** (Householder, L., Lanese, L.) To permit law enforcement officers to carry firearms off duty in places otherwise prohibited for concealed handgun licensees. (3rd Hearing-Opponent & interested party)
- House State & Local Government** (Committee Record) (**Chr. Anielski, M., 644-6041**), Rm. 017, 3:30 p.m. or after session
- HB 415** **ROAD IMPROVEMENTS** (Greenspan, D., Ryan, S.) To allocate one-half of any surplus revenue to a new Local Government Road Improvement Fund, from which money will be distributed directly to local governments to fund road improvements. (2nd Hearing-All testimony-Possible substitute)
- HB 169** **HEALTH INSURANCE** (Merrin, D.) To require, with respect to insurance contracted for or provided by the Department of Administrative Services, an individual who is not covered by a collective bargaining agreement to pay the same percentage of the premium for vision, dental, or life insurance as the individual pays for health insurance. (2nd Hearing-Proponent)
- HB 298** **SICK DAYS** (Merrin, D.) To make changes with respect to the number of sick days provided to public employees. (2nd Hearing-Proponent)
- HB 314** **SAFETY TAX CREDIT** (Schaffer, T.) To allow an income tax credit for law enforcement officials who purchase safety or protective items to be used in the course of official law enforcement activities. (1st Hearing-Sponsor)

- HB 453** **CHARTER HOSPITALS** (Greenspan, D.) To require that all rights and interests in discoveries, inventions, or patents made by employees using charter county hospital facilities are the property of that charter county hospital. (1st Hearing-Sponsor)
- HB 454** **CEMETERY LOTS** (Patterson, J., Arndt, S.) To require a township to compensate the owner of certain unused cemetery lots and rights which the township reenters after lack of response from the owner. (1st Hearing-Sponsor)
- HR 299** **DRUG USE** (Young, R., Ginter, T.) To recognize the efforts and successes of the faith-based community in supporting and assisting individuals who are suffering from opioid and other drug abuse and addiction. (1st Hearing-Sponsor)
- SCR 15** **YEAR DESIGNATION** (O'Brien, S., Wilson, S.) To designate 2018 as 'Ohio's Year of the Trails.' (1st Hearing-Sponsor)

Agency Calendar

Arts Council, 33rd Fl., 30 E. Broad St., Columbus, 10 a.m. (The Finance Committee meets previously at 9:30 a.m. and the Executive Committee meets at noon or immediately following the board meeting.)

Board of Building Appeals, Division of Industrial Compliance, 6606 Tussing Road, Training Room 1, Reynoldsburg, 1:30 p.m.

Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.

Event Planner

Ohio Oil and Gas Association and Ohio Environmental Council Action Fund news conference call on orphan well legislation, 9:30 a.m.

Managed Long-Term Services and Supports Study Committee, Rm. 1960, 77 S. High St., Columbus, 10 a.m.

Rep. Scott Lipps (R-Franklin) and Rep. Thomas West (D-Canton) and Ohio Pharmacists' Association news conference on prescription drug legislation, Press Briefing Rm., Statehouse, Columbus, 11:30 a.m.

Rep. Ryan Smith (R-Bidwell) & Rep. Dave Greenspan (R-Westlake) fundraiser, Athletic Club, 136 E. Broad St., Columbus, 11:30 a.m., (Chair: \$5,000, Sponsor: \$2,500, Host: \$1,000, Guest: \$500 to Friends of Ryan Smith and Friends of Dave Greenspan RSVP required to Taylor at 740.395.7656 or Taylor@smithforohio.com)
Rep. Janine Boyd (D-Cleveland Hts.) fundraiser, Club 185, 185 E. Livingston Ave., Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Friends of Janine Boyd. RSVP with Jenna Gravalis at 551-427-9895 or jgravalis@ohiodems.org)

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Tuesday, January 23, 2018

IN TODAY'S HANNAH REPORT:

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Today's Stories

- [GOP, Dems Pursue Redistricting Deal; Critics Blast SJR5 in Hearing](#)
- [ECOT Appeals Shutdown; Hearing Officer Backs ODE Again; Legislators Criticize Agency](#)
- [Lawmakers Aim to Place 'Right-to-Work' Measures on 2020 Ballot](#)
- [OCC, OSU Economist Slam Electric Security Plans, Praise HB247](#)
- [Witnesses Tell Committee Bail Reform Is Needed](#)
- [Portman Addresses Reopening of Government, Reauthorization of CHIP, Imposition of Tariffs](#)
- [Trooper's Search of Detained Suspect's Purse Unconstitutional](#)
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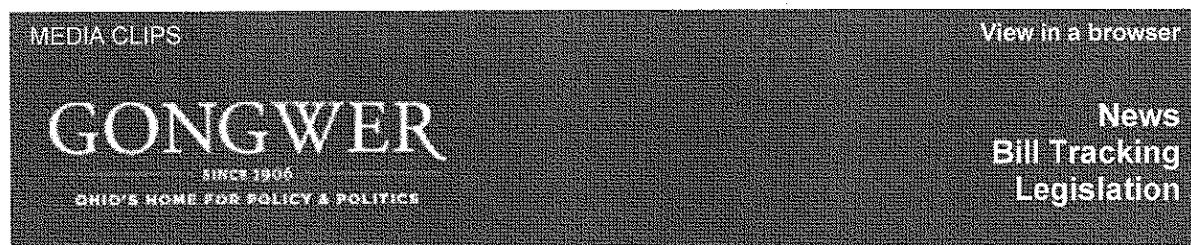
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NEWS

Groups rally to fight Ohio senator's rival redistricting plan (Associated Press, 1/24/2018)

Lawyers to Ohio court: Juries, not judges, should impose death sentences (Associated Press, 1/24/2018)

Lawmakers ax money proposed for film campus, Wasson Way in list to GOP leaders (Cincinnati Enquirer, 1/24/2018)

'Right to work' could be on the ballot in Ohio with support from lawmakers (Cleveland Plain Dealer, 1/24/2018)

Ohio among northern states to lose another U.S. House seat after next census - Out of Line: Impact 2017 and Beyond (Cleveland Plain Dealer, 1/24/2018)

Should ECOT founder pay money back faster? State Auditor Dave Yost says yes while school floats new plan (Cleveland Plain Dealer, 1/24/2018)

Columbus lawmaker's proposal would allow physician-assisted suicide in Ohio (Columbus Dispatch, 1/24/2018)

Democrats tussle over ECOT campaign money, but GOP got far more (Columbus Dispatch, 1/24/2018)

Ex-Tiberi aide to join DeWine's staff (Columbus Dispatch, 1/24/2018)

Lawmakers take baby steps toward redistricting compromise (Columbus Dispatch, 1/24/2018)

Portman says killing NAFTA would be mistake (Columbus Dispatch, 1/24/2018)

Right-to-work would help Ohio workers, GOP lawmakers say (Columbus Dispatch, 1/24/2018)

'On its last legs': Why election boards are seeking new voting machines (Dayton Daily News, 1/24/2018)

Doctor-assisted suicide bill coming to Ohio Statehouse (Dayton Daily News, 1/24/2018)

Ohio looking to change bail system, focusing less on money (Dayton Daily News, 1/24/2018)

Portman warns Trump: killing NAFTA will kill jobs in Ohio (Dayton Daily News, 1/24/2018)

State considers punishing cities that use traffic, red-light cameras (Dayton Daily News, 1/24/2018)

Thousands head back to work at Wright-Patt as shutdown ends (Dayton Daily News, 1/24/2018)

Lawmakers argue ECOT closing preventable (Toledo Blade, 1/24/2018)

EDITORIALS

A fleeting moment of compromise ends the government shutdown despite "No" votes from three Ohio Democrats: editorial (Cleveland Plain Dealer, 1/24/2018)

Scientists leading algae fight (Toledo Blade, 1/24/2018)

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HOUSE E-CLIPS 1/24/2018



STATE MIGHT SEEK \$19M MORE BACK FROM CLOSED CHARTER E-SCHOOL

The giant Ohio online charter school that abruptly closed mid-school-year lost another round of its multifaceted battle with the state over funding but said Tuesday that it's still fighting to reopen, even as many of its 12,000 students are looking for new schools.

LAWYERS: JURIES, NOT JUDGES, SHOULD IMPOSE DEATH SENTENCES

Ohio's capital punishment law is unconstitutional because judges, not juries, impose death sentences in contrast to the 6th Amendment right to a jury trial, lawyers for a convicted killer argued before the state Supreme Court on Tuesday.



DEMOCRATS TUSSLE OVER ECOT CAMPAIGN MONEY, BUT GOP GOT FAR MORE

As Ohio's big bet on a big online charter school fizzles, candidates are pointing fingers over the \$2.1 million in campaign money the school's operator has doled out during the past two decades.

COLUMBUS LAWMAKER'S PROPOSAL WOULD ALLOW PHYSICIAN-ASSISTED SUICIDE IN OHIO

Lisa Vigil Schattinger wants terminally ill Ohioans to have the option chosen by her stepfather, who said his piece and then made peace with impending death from bone marrow cancer.

GOP LAWMAKERS, CHRISTIAN ALLIANCE, DEFEND ECOT; STATE SAYS SCHOOL PRIORITIZED PROFIT

Arguing that that Gov. John Kasich and the Ohio Department of Education should have kept ECOT open through the end of the school year, a handful of Republican lawmakers Tuesday defended the school and urged changes to stop a future shutdown in the middle of the school year.

RIGHT-TO-WORK WOULD HELP OHIO WORKERS, GOP LAWMAKERS SAY

A pair of Republican lawmakers said their proposal to put six right-to-work amendments on the 2020 ballot would help Ohio workers.

LAWMAKERS TAKE BABY STEPS TOWARD REDISTRICTING COMPROMISE

A whiff of progress on congressional redistricting could be permeating the Statehouse.

O'NEILL TELLS DEMOCRATIC PARTY TO VET HIM AFTER PAYING OFF TAX LIENS

Gubernatorial candidate William M. O'Neill is asking the Ohio Democratic Party to vet him after paying \$4,361 in past-due state income taxes.

ECOT APPEALS SPONSOR'S DECISION THAT SHUT SCHOOL

Shuttered online giant ECOT is not giving up efforts to keep the school open through the end of the school year.

EX-TIBERI AIDE TO JOIN DEWINE'S STAFF

Breann Gonzalez, a longtime aide to Rep. Pat Tiberi, R-Genoa Township, is joining the staff of Ohio Attorney General Mike DeWine.

EDITORIAL: OHIOANS WANT REAL REDISTRICTING REFORM

Ohio House Republicans' proposed congressional boundary-drawing "reform" is a cynical exercise in damage control.

Dayton Daily News

www.daytondailynews.com

MIAMI TWP. TRUSTEE: STATE WAGE LAW 'DISCRIMINATORY,' WASTING MILLIONS

A Miami Twp. trustee is asking the state to pay for the costs of what he called an unfunded mandate that is "most discriminatory" and that he said wastes millions of dollars across Ohio.

DOCTOR-ASSISTED SUICIDE BILL COMING TO OHIO STATEHOUSE

Nearly three decades after Jack "Dr. Death" Kevorkian pushed doctor-assisted suicide into the national spotlight, state Sen. Charleta Tavares says it's time that Ohio legalize the practice with strict safeguards in place.

ECOT APPEALS IN FIGHT TO STAY OPEN; EMAILS SHOW STATE FIGHT

The Electronic Classroom of Tomorrow on Tuesday announced it is appealing the decision of its sponsor, the Educational Service Center of Lake Erie West, to close the embattled online school.

OHIO LOOKING TO CHANGE BAIL SYSTEM, FOCUSING LESS ON MONEY

The ACLU of Ohio says a plan to shift courts away from using cash-bail systems is a good start but doesn't go far enough to fix the broken system.

'ON ITS LAST LEGS': WHY ELECTION BOARDS ARE SEEKING NEW VOTING MACHINES

Voting equipment in many Ohio counties, including Butler County, is becoming obsolete as replacement parts are more difficult to obtain and software continues to age.

THE PLAIN DEALER

'RIGHT TO WORK' COULD BE ON THE BALLOT IN OHIO WITH SUPPORT FROM LAWMAKERS

Supporters of "right to work" legislation are taking a different route to enact changes critics say would unnecessarily weaken unions in Ohio.

SHOULD ECOT FOUNDER PAY MONEY BACK FASTER? STATE AUDITOR DAVE YOST SAYS YES WHILE SCHOOL FLOATS NEW PLAN

ECOT founder William Lager and two companies he owns have paid more than \$5 million back toward the \$80 million enrollment and state aid fight the online charter school is having with the state.

OHIO AMONG NORTHERN STATES TO LOSE ANOTHER U.S. HOUSE SEAT AFTER NEXT CENSUS - OUT OF LINE: IMPACT 2017 AND BEYOND

Ohio is on target to lose another congressional seat after the 2020 census, making it even more important that the state gets it right in deciding how to reform the way its congressional districts are drawn.

THE ENQUIRER

IN OHIO, NO ONE WANTS GOV. JOHN KASICH'S ENDORSEMENT - INCLUDING HIS FORMER RUNNING MATE WHO HAS IT

In the Republican primary for Ohio governor, no one apparently wants Gov. John Kasich's endorsement - including the candidate who has it.

THE BLADE

One of America's Great Newspapers

LAWMAKERS ARGUE ECOT CLOSING PREVENTABLE

The Educational Service Center of Lake Erie West board voted Tuesday night to accept a court-supervised master to oversee the winding down of the defunct Electronic Classroom of Tomorrow.

From: Westlake, Libby
Sent: Thursday, January 25, 2018 8:54 AM
To: Westlake, Libby
Subject: E-Clips for 1/25/2018

HOUSE E-CLIPS 1/25/2018



OHIO PART OF STUDY TO REDUCE CHILD WELFARE WORKERS TURNOVER

Officials say Ohio is joining a national research project to reduce turnover among caseworkers in the child welfare field.



KASICH DISPUTES TAYLOR'S ASSERTION THEY HAVEN'T TALKED IN A YEAR

The office of Ohio Gov. John Kasich, and her own appointment calendar, dispute Lt. Gov. Mary Taylor's assertion that she has not talked to the governor in more than a year.

OHIO LAWMAKERS GOING AFTER PHARMACY BENEFIT MANAGERS

When Ohioans go to pharmacists for their prescriptions, they generally assume they'll be told the truth about the costs of their medicines.

NO REDISTRICTING VOTE WITHOUT CITIZENS COALITION SUPPORT, SENATE PRESIDENT SAYS

Unless a citizens coalition agrees with a legislative plan to revamp Ohio's congressional redistricting process, Senate President Larry Obhof said the Senate won't vote on the measure.

CLINTONVILLE ARCHITECT BECOMES LATEST TO RUN FOR TIBERI'S OLD SEAT

Yet another Republican has entered the race to replace Rep. Pat Tiberi.

CORDRAY WANTS TO BRING FIGHT FOR CONSUMERS TO OHIO

Richard Cordray just finished a five-year stint running the U.S. Consumer Financial Protection Bureau, but on Wednesday he said he is starting his fight for consumers in Ohio.

STATE LAWMAKERS VOTE TO REGULATE 'E-BIKES'

Ohio is one of just 20 states that doesn't regulate electric bicycles, but that might be changing with new legislation.

NEW BILL CALLS FOR MORE TRANSPARENCY IN DRUG PRICES

A consumer protection bill introduced in the Ohio House of Representatives this week aims to increase transparency in prescription drug pricing.

RIDING A SKATEBOARD WHILE HOLDING A CAR COULD BECOME ILLEGAL IN OHIO

Grabbing the bumper or side of a moving car and hitching a ride while on a skateboard is not specifically illegal in Ohio — something some state lawmakers want to change.

TOOL WILL ALLOW THE PUBLIC TO FOLLOW THE MONEY IN OHIO POLITICS

If you want to know what's going on in politics, the old adage is: follow the money.

THE PLAIN DEALER

ECOT STUDENTS RUSHING TO OTHER E-SCHOOLS BUT TRICKLING BACK TO DISTRICTS

Students from the just-closed ECOT online charter school have started to land in school districts and other charters, but the numbers remain low and it's too early to tell how well the process is working.

OHIO PAC SUPPORTING OHIO WOMEN CANDIDATES RAISES \$750,000

The Matriots, a statewide PAC supporting female candidates, started last year when a small group of Columbus-area neighbors, friends and acquaintances stood together at the Women's March on Washington and felt something big.

TALK IT OUT: SHOULD OHIO BECOME A 'RIGHT TO WORK' STATE?

Republican state Reps. John Becker and Craig Riedel have proposed a package of six constitutional amendments targeting how unions operate and are funded in Ohio.

THE BLADE
One of America's Great Newspapers

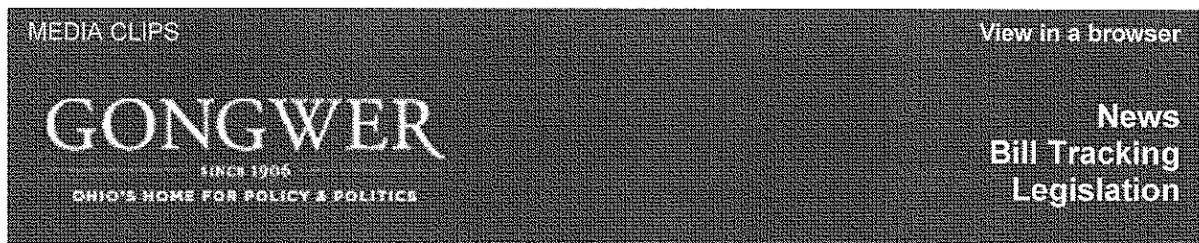
VOTE DELAYED ON GOP REMAP PLAN

Senate Republicans on Wednesday delayed a vote on changes to the inherently political process by which Ohio redraws congressional districts.

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Subject: Ohio Media Clips, Thursday, January 25

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NEWS

Ohio Supreme Court sides with FirstEnergy in customer refund ruling
(Akron Beacon Journal, 1/25/2018)

GOP gov race: No one wants Kasich's endorsement (Cincinnati Enquirer, 1/25/2018)

In Ohio, lives altered a year into Trump (Cincinnati Enquirer, 1/25/2018)

Ohio PAC supporting Ohio women candidates raises \$750,000 (Cleveland Plain Dealer, 1/25/2018)

Powerful opioids are easily sold through the Internet and shipped in the mail, investigation finds (Cleveland Plain Dealer, 1/25/2018)

Talk it out: Should Ohio become a 'right to work' state? (Cleveland Plain Dealer, 1/25/2018)

Campaign cash: Who got how much from ECOT (Columbus Dispatch, 1/25/2018)

Cordray wants to bring fight for consumers to Ohio (Columbus Dispatch, 1/25/2018)

Kasich disputes Taylor's assertion they haven't talked in a year (Columbus Dispatch, 1/25/2018)

No redistricting vote without citizens coalition support, Senate president says (Columbus Dispatch, 1/25/2018)

Ohio lawmakers going after pharmacy benefit managers (Columbus Dispatch, 1/25/2018)

State lawmakers vote to regulate "e-bikes" (Columbus Dispatch, 1/25/2018)

Ohio's tobacco prevention efforts get mostly Fs (Dayton Daily News, 1/25/2018)

Riding a skateboard while holding a car could become illegal in Ohio (Dayton Daily News, 1/25/2018)

State considers punishing cities that use traffic, red-light cameras (Dayton Daily News, 1/25/2018)

Tool will allow the public to follow the money in Ohio politics (Dayton Daily News, 1/25/2018)

High court: State's FirstEnergy refund order was improper (Toledo Blade, 1/25/2018)

Vote delayed on GOP remap plan (Toledo Blade, 1/25/2018)

EDITORIALS

Editorial: CHIP breaks free from D.C. gridlock (Canton Repository, 1/25/2018)

Editorial: Ohioans want real redistricting reform (Columbus Dispatch, 1/25/2018)

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From: Westlake, Libby
Sent: Friday, January 26, 2018 4:38 PM
To: Best, Carolyn; Miller, Brad; Adams, Alexandra; Slack, Cora; Crock, Sarah; Michalowski, Joe; Basie, Margaret
Subject: COLUMN ALERT - Becker/Riedel Right-to-Work (sending to Dispatch at 5:00)

*January 26, 2018
Contact: Joe Michalowski
(614) 466-8134*

Guest Column from State Representatives

John Becker and Craig S. Riedel

Right-to-Work Right Choice for Ohio, but Let Voters Decide

Over the years, 28 states across the U.S. (including 4 of our 5 neighboring states) have enacted right-to-work laws making this a highly debated issue for Ohio. At its very core, right-to-work promotes the individual freedom of a person to choose whether they want to belong to a union or not. Currently, Ohio law allows the collective bargaining unit to force an employee to pay 'fair share fees' if they do not join the union. Not only does this make Ohio less competitive regarding job and wage growth, especially with our neighboring states, but Ohioans are forced to give away their own hard-earned money to an entity that they may not support or want representing them.

That is why we have sponsored House Joint Resolutions 7 through 12, six resolutions that if approved by the General Assembly, would appear as constitutional amendments on Ohio's general election ballot in November 2020. We have heard from many sides about why right-to-work is right for Ohio or not, and despite many efforts to pass legislation on this issue, it still remains highly contentious.

Because of this, we have decided to let the people of Ohio decide whether Ohio should become a right-to-work state or not. By approving these resolutions, Ohioans will get to vote directly on six different variations of right-to-work law. The six constitutional amendments would be summarized as thus:

- **Private-sector right-to-work:** No worker should be required to subsidize a union as a condition of employment.
- **Public-sector right-to-work:** Like for the private sector, no worker should be required to subsidize a union as a condition of employment.
- **Public-sector prevailing wage:** Repeals the requirement for taxpayers to pay artificially inflated wages, rather than those that are market-based.

- **Public-sector paycheck protection:** Prohibits state and local government employers from withholding union dues or fees from workers' wages. Additionally, unions will be prohibited from spending workers' money on political activities without workers' consent.
- **Public-sector project labor agreements:** Prohibits state and local government entities from engaging in contracts that minimize competition for construction projects by requiring that only union or non-union labor can be considered.
- **Public-sector union recertification:** Requires annual reconsideration and recertification of workers' bargaining units.

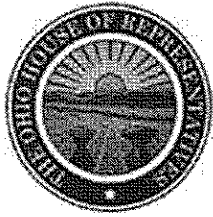
These six amendments cover every aspect of the right-to-work issue, allowing Ohioans to approve one or all of them. At the end of the day, we firmly believe this is the best course of action for Ohio. Right-to-work will tell the world that Ohio is open for business—increasing competition and improving our economic environment—while also protecting workers' rights.

From: Miller, Brad

Sent: Monday, January 29, 2018 12:19 PM

To: Best, Carolyn; Adams, Alexandra; Westlake, Libby; Slack, Cora; Crock, Sarah

Subject: ALERT: Week in Review (sending at 4)



OHIO HOUSE OF REPRESENTATIVES

Majority Communications Department

GOP Week in Review

1/22/18 – 1/28/18

Farm and Dairy: Ohio Cattlemen's Association honors family farms

Ohio Rep. Brian Hill received the association's Industry Service Award. Hill, a longtime association member, raises beef cattle on his family farm in Muskingum County, and is currently serving his third term in the Ohio House of Representatives, after serving as a county commissioner for more than six years. ... "It's easy to go to Columbus to fight on your behalf," Hill told the cattlemen Saturday night.

Columbus Dispatch: State lawmakers vote to regulate 'e-bikes'

House Bill 250, introduced by Rep. Tom Brinkman, a Cincinnati-area Republican, would regulate electric bicycles, also called e-bikes, and hold them to many of the same standards as normal bicycles. ... "This new technology in e-bikes will allow more Ohioans to use our wonderful trail network, longer and later in life," Brinkman said.

Dayton Daily News: New bill calls for more transparency in drug prices

"Action is needed to address the rising prescription drug prices to protect Ohio consumers," said state Rep. Scott Lipps, R-Franklin, one of the sponsors of House Bill 479. "Prescription drug pricing in its supply chain is complex and broke and needs to be scrutinized."

WHAM: Mom pushes for change after 3 year old denied heart transplant due to Down syndrome

Miamisburg Representative Niraj Antani (R - District 42) is a primary sponsor of the bill and said, "They're told that they won't be able to follow the post operation regimen, their body won't be able to handle it, or that it's implied that their life is less worthy and that's wrong."

Sandusky Register: State bill aims to plug orphan wells

"As the representative of a district that is very concerned with the harmful effects of human activity on the environment ... I was proud to co-sponsor House Bill 225," Arndt said. "This legislation will help homeowners that discover abandoned orphan wells on their properties to properly address them."

Columbus Dispatch: Ohio lawmakers going after pharmacy benefit managers

Reps. Scott Lipps, R-Franklin, and Thomas West, D-Canton, say pharmacy benefit management companies (PBMs) are issuing "gag orders" to keep pharmacists quiet about what could be cheaper medicines for their clients, and keeping the extra money for themselves — something the lawmakers hope to ban with new legislation, House Bill 479.

WKSU: Conservative lawmakers renew their push for Ohio to become a right-to-work state

Reps. John Becker and Craig Riedel say their bill would allow voters to decide whether Ohio should be a right-to-work state for public and private sector employees and would put limits on unions to collect dues and spend money on political ads. Riedel says Ohioans should decide this issue, once and for all.

Marion Online: Riordan McClain sworn in as State Representative of the 87th Ohio House District

"Riordan McClain's experience in the private sector and financial management will surely prove to be a valuable asset to our caucus," said Speaker Cliff Rosenberger (R-Clarksville). ... "I accept this appointment and will be honored to serve Ohio's 87th House District as state representative. I am appreciative of all the support that I've received through this process and look to carry that forward into a successful term representing our shared values," said McClain.

Wilmington News Journal: Guest column from Speaker Cliff Rosenberger: Business growth affirms healthy economy

The eighth consecutive year the state has experienced a record number of filings, new businesses have grown more than 46 percent since 2010. This continued progress is a sure sign of economic health — when individuals are thriving and feel comfortable, they are able to invest in establishing their own business.

Portsmouth Daily Times: Rep. Johnson honors 'Burg with state resolution

Ohio State Representative Terry Johnson (R-McDermott) honored the Wheelersburg Pirates' football program for its state championship run back in the fall.

From: Ohio House Republican Communications
Sent: Tuesday, January 30, 2018 5:26 PM
Subject: GOP Week in Review 1/22/18 – 1/28/18



OHIO HOUSE OF REPRESENTATIVES

Majority Communications Department

GOP Week in Review

1/22/18 – 1/28/18

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Alliance Review: State Rep. Christina Hagan shows support for emergency personnel

"I am honored to discuss legislative matters impacting our community leaders and safety services, and to work toward solutions with the Ohio Fire Chiefs' Association," said Hagan. "I'm thankful for the daily sacrifices of all our Ohio firefighters and first responders."

WHAM: Mom pushes for change after 3 year old denied heart transplant due to Down syndrome

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My Town NEO: Hudson boys cross country team recognized by Roegner, LaRose

"It takes a lot of hard work and dedication to win a state title," Roegner said. "Our Hudson Boys Cross Country Team won the Division I State Championship through steadfast dedication. With an average 3.99 GPA, they are incredible student athletes and have earned the admiration of the state of Ohio."

Columbus Dispatch: Ohio lawmakers going after pharmacy benefit managers

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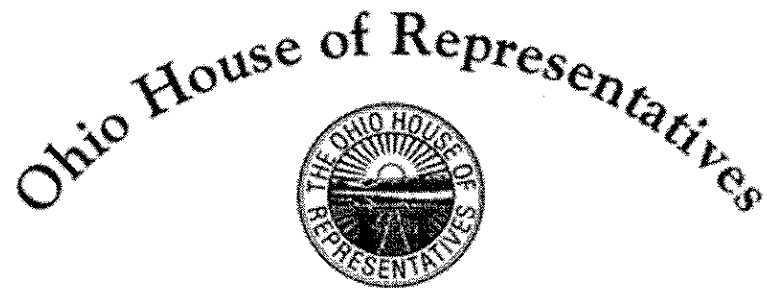
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From: Paretto, Dominic
Sent: Monday, February 5, 2018 5:01 PM
To: House_All
Subject: Request for Co-Sponsorship – Paid Family and Medical Leave



MEMORANDUM

TO: All House Members
FROM: Representative Janine Boyd and Representative Kristin Boggs
DATE: February 5, 2018
RE: Request for Co-Sponsorship – Paid Family and Medical Leave

We will soon introduce legislation to create the Ohio Family and Medical Leave Insurance Program. Today we chose to send this co-sponsor request as this date marks the 25th anniversary of FMLA (Family Medical Leave Act). This legislation will provide 12 weeks of family and medical leave benefits, which will permit individuals to care for a family member, bond with a new child, or address their own serious health condition.

Out of 178 countries worldwide, the United States is one of three that does not provide paid leave to new mothers. So far five states—California, New Jersey, New York, Hawaii and Rhode Island offer some sort of paid leave to men and women who provide care. The federal Family Medical Leave Act provides 12 weeks of leave for family and medical reasons. This time is unpaid and employers with fewer than 50 employees are exempt, which eliminates a large segment of workers. Ohio should lead on the issue of paid leave to grow our economy and allow working people to put family first.

The program will be under the purview of the Department of Job and Family Services. An individual would receive leave insurance benefits for: a health condition which makes him/her unable to perform their job duties; caring for a new child during after birth, adoption, or foster care placement; caring for a child, parent, or spouse who has a serious health condition; or the individual is taking any other leave as authorized by the federal Family and Medical Leave Act. In order to be eligible for program benefits, an individual must file a

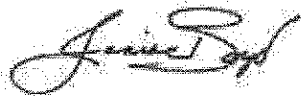
claim with ODJFS; must have worked at least 680 hours during the base period; premiums have been withheld and remitted for at least one year; and the leave must be for the above-mentioned purposes.

Once established, program benefits will be paid by assessing premiums on employees. Employers will be required to deduct and withhold premiums from employee's wages. However, an employer may opt to pay the contributions on behalf of employees.

An employee who is covered by an employer policy or collective bargaining agreement that provides the employee with greater leave than that provided by the Family and Medical Leave Act may elect not to participate in the Program in accordance with rules adopted by the Director. An employee who elects to opt out of participating in the Program is not liable for any premium or contribution that would otherwise be due under the Program.

Working people in Ohio should not have to worry about losing their job or falling behind financially just to take care of a sick child or relative; address their own serious health condition; or care for and bond with their newborn child. Ohio cities like Dayton and Cincinnati are leading on leave. By allowing working people to put their family first, we can truly make Ohio a better place to live, work, and raise a family.

If you have any questions or would like to co-sponsor this legislation, please contact Dominic Paretti, at 614-644-5079 or via email at Dominic.Paretti@OhioHouse.Gov and Serena Finlay, 614-466-1896 or via email at Serena.Finlay@OhioHouse.Gov. **The deadline to co-sponsor is Friday, March 9 at 4:00pm.**



Janine Boyd
State Representative, Ohio House District 09



Kristin Boggs
State Representative, Ohio House District 18

From: report@hannah.com
Sent: Tuesday, February 13, 2018 8:47 PM
To: DL_Hannah
Subject: Hannah News Stories for Tuesday, February 13, 2018

Tuesday, February 13, 2018

IN TODAY'S HANNAH REPORT:

Please click here to read the entire Hannah Report.

Today's Stories

- [Pillich Expected to End Gubernatorial Campaign Wednesday](#)
- [Chief Justice Suggests ECOT's Enrollment-Minus-Participation Argument Leads to 'Absurd Result'](#)
- [ProMedica Signs Transfer Agreement with Toledo Abortion Clinic](#)
- [CSRAB Unveils Painting of Lincoln Addressing General Assembly](#)
- [Liberal Groups Slam 'Right-to-Work' Proposals, Offer Policy Alternatives](#)
- ['Sexting' Ban Gets First Hearing](#)
- [Legislation Conforming Ohio Law to New Federal Tax Law Begins Hearings in House](#)
- [HB228 Draws Wide Range of Testimony on Gun, Self-Defense Issues](#)
- [School Board Talks Graduation, ECOT Response, Machine Scoring of Tests](#)
- [AEP Draws Vocal Support for Clean Energy Plan in First Public Hearing on ESP](#)
- [Hambley, Sweeney Introduce 'Ohio Proud Craft Beer Act'](#)
- [AG Warns of Romance Scams](#)
- [People in the News: Cole; Bowen](#)
- [Judicial Actions: Opinion](#)
- [Executive Action: Appointment](#)

House Committee Reports

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- [Public Utilities](#)
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- [Ways and Means](#)

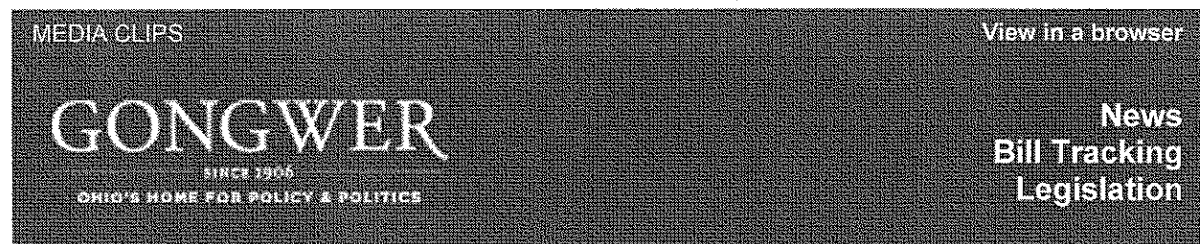
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NEWS

Akron prepares for a possible loss in court against the state (Akron Beacon Journal, 2/14/2018)

Ohio Supreme Court hears arguments in online charter school case (Associated Press, 2/14/2018)

Report: Fertilizer, manure top Lake Erie phosphorus sources (Associated Press, 2/14/2018)

Source: Pillich to leave governor's race, back Cordray (Associated Press, 2/14/2018)

Portman 'shocked' ex-aide accused of abuse (Cincinnati Enquirer, 2/14/2018)

Sole female Dem in gubernatorial race to quit (Cincinnati Enquirer, 2/14/2018)

Connie Pillich expected to drop out of the governor's race (Cleveland Plain Dealer, 2/14/2018)

Lawmakers must rewrite Ohio bill to reflect new federal tax rules (Cleveland Plain Dealer, 2/14/2018)

Ohio's charter school quality crackdown claims a big-city victim - the Cincinnati school district (Cleveland Plain Dealer, 2/14/2018)

Skill games to be regulated by Ohio Casino Control Commission (Cleveland Plain Dealer, 2/14/2018)

Chief justice to ECOT attorney: 'How is that not absurd?' (Columbus Dispatch, 2/14/2018)

Kasich chosen to address graduates of Kennedy School in May (Columbus Dispatch, 2/14/2018)

New report from pro-labor group pans right-to-work proposals (Columbus Dispatch, 2/14/2018)

Ohio wants to require those on Medicaid to get a job (Columbus Dispatch, 2/14/2018)

Pillich to leave race for governor, back Cordray (Columbus Dispatch, 2/14/2018)

Podcast: A discussion with gubernatorial candidate William O'Neill (Columbus Dispatch, 2/14/2018)

Portman shocked at allegations of abuse by former aide (Columbus Dispatch, 2/14/2018)

President Trump jokes with Sherrod Brown on DACA (Columbus Dispatch, 2/14/2018)

**Ohio considers raising child marriage age after DDN investigation
(Dayton Daily News, 2/14/2018)**

**Portman's vetting of staffer didn't turn up complaints of wife abuse
(Dayton Daily News, 2/14/2018)**

**Vicious dogs: Ohio moves to change laws on dog owners (Dayton Daily
News, 2/14/2018)**

ECOT asks high court to restore its funding (Toledo Blade, 2/14/2018)

**Toledo's only abortion clinic now in time race to get transfer agreement
signed (Toledo Blade, 2/14/2018)**

EDITORIALS

**Unconscionable failure by Ohio Justices O'Donnell, DeWine to recuse in
ECOT case after taking thousands in campaign dollars: editorial
(Cleveland Plain Dealer, 2/14/2018)**

Great Lakes once again in budget crosshairs (Toledo Blade, 2/14/2018)

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Sent: Wednesday, February 14, 2018 8:54 AM
To: Westlake, Libby
Subject: E-Clips for 2/14/2018

HOUSE E-CLIPS 2/14/2018



HOSPITAL PACT MIGHT SAVE TOLEDO ABORTION CLINIC

A hospital system has authorized a patient-transfer agreement to keep the last abortion clinic in Toledo operating.



PILLICH TO LEAVE RACE FOR GOVERNOR, BACK CORDRAY

Only one of the original Democrats running for governor will still be in the race after Wednesday.

OHIO WANTS TO REQUIRE THOSE ON MEDICAID TO GET A JOB

Thousands of Ohioans soon might need to find a job or lose their Medicaid health insurance.

KASICH CHOSEN TO ADDRESS GRADUATES OF KENNEDY SCHOOL IN MAY

Gov. Kasich will address the 2018 graduates of the Harvard Kennedy School in May, the dean of the school said Tuesday.

CHIEF JUSTICE ON ECOT CLAIM FOR STATE MONEY: 'HOW IS THAT NOT ABSURD?'

As ECOT attorney Marion Little finished his arguments for why, under the law, the online school should get full funding for students even if they only log in once a month and do no work, Chief Justice Maureen O'Connor interjected.

KASICH POSTPONES FOREIGN TRIP TO ATTEND OFFICERS' FUNERAL IN WESTERVILLE

Long-time Westerville resident Gov. John Kasich is postponing a foreign trade trip to attend the Friday funeral of two police officers slain in his hometown on Saturday.

A FIFTH OF OHIO HIGH SCHOOL SENIORS NEED HELP TO EARN A DIPLOMA THIS YEAR

Less than five months from graduation, one out of five Ohio high school seniors still wouldn't qualify for a diploma under more-stringent state standards — requirements that at least temporarily have been softened to avert just such a crisis.

NEW REPORT FROM PRO-LABOR GROUP PANS RIGHT-TO-WORK PROPOSALS

In the wake of proposed right-to-work amendments by Republican lawmakers, a newly released report is recommending politicians can support Ohio workers by backing off of regulating unions.

Dayton Daily News
www.daytondailynews.com

OHIO CONSIDERS RAISING CHILD MARRIAGE AGE AFTER DDN INVESTIGATION

An investigation by the Dayton Daily News into child marriage is prompting state lawmakers to introduce a bill that would bump up the legal marriage age to 18 for both males and females and allow 17-year-olds to marry with court approval.

VICIOUS DOGS: OHIO MOVES TO CHANGE LAWS ON DOG OWNERS

Four years after the gruesome attack that killed Dayton resident Klonda Richey, state lawmakers are taking a double barrel approach to finally putting more teeth in the state's vicious dog laws.

CINCINNATI DEMOCRAT CONNIE PILLICH EXPECTED TO LEAVE GOVERNOR'S RACE

Former state representative Connie Pillich — the last woman leading a Democratic ticket for governor — is expected to drop out of the race and endorse former attorney general Rich Cordray on Wednesday, sources close to the campaign said.

THE PLAIN DEALER

OHIO'S CHARTER SCHOOL QUALITY CRACKDOWN CLAIMS A BIG-CITY VICTIM - THE CINCINNATI SCHOOL DISTRICT

Ohio's push to improve charter school quality has booted a major city school district - the Cincinnati Public Schools - out of the charter school business.

CONNIE PILLICH EXPECTED TO DROP OUT OF THE GOVERNOR'S RACE

Connie Pillich, the lone remaining Democratic woman running for governor in what was supposed to be the "year of the woman," will drop out of the race Wednesday to endorse Richard Cordray, according to two Democratic sources.

ECOT FUNDING QUESTIONED BY OHIO SUPREME COURT JUSTICES: "HOW IS IT NOT ABSURD?"

Ohio Supreme Court justices were wary this morning of how the ECOT online charter school wants to be funded as the school and Ohio Department of Education pleaded their cases to the court.

**UNCONSCIONABLE FAILURE BY OHIO JUSTICES O'DONNELL, DEWINE TO
RECUSE IN ECOT CASE AFTER TAKING THOUSANDS IN CAMPAIGN DOLLARS:**

EDITORIAL

The seven-member Ohio Supreme Court is hearing arguments this morning in a case whose outcome may kill or revive the Electronic Classroom of Tomorrow, or ECOT, the online charter school that shut down last month.

THE ENQUIRER

**CONNIE PILLICH TO END GUBERNATORIAL BID; ENDORSE CORDRAY. WAS THE
LONE FEMALE DEMOCRAT IN THE RACE**

In the so-called "year of the woman," the sole female in the Democratic race for governor will bow out to endorse former Consumer Financial Protection Bureau director Richard Cordray.

DEMOCRAT KATHY WYENANDT FILES TO RUN IN OHIO 52ND DISTRICT

Democrat Kathy Wyenandt is challenging Republican George Lang for his Ohio House seat.

THE BLADE

One of America's Great Newspapers

ECOT ASKS HIGH COURT TO RESTORE ITS FUNDING

Clinging to hope of reopening its virtual doors, what was once Ohio's largest online school on Tuesday urged the Ohio Supreme Court to halt state efforts to claw back tens of millions in past aid.

PILLICH TO DROP OHIO GOVERNOR BID

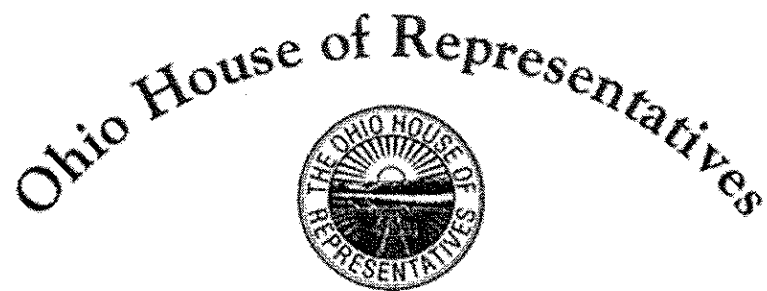
Another Democratic candidate for governor will drop out of the race Wednesday and throw her support to Richard Cordray for the party's nomination.

From: Paretti, Dominic
Sent: Tuesday, February 20, 2018 10:15 AM
To: House_All
Subject: FW: Request for Co-Sponsorship – Paid Family and Medical Leave

****REMINDER-DEADLINE TO CO SPONSOR IS MARCH 9, 2018 at 4PM**

Dominic Paretti
Legislative Aide to Representative Boyd
Ohio House District 09
614-644-5079

From: Paretti, Dominic
Sent: Monday, February 05, 2018 5:01 PM
To: House_All <House_All@ohiohouse.gov>
Subject: Request for Co-Sponsorship – Paid Family and Medical Leave



MEMORANDUM

TO: All House Members
FROM: Representative Janine Boyd and Representative Kristin Boggs
DATE: February 5, 2018
RE: Request for Co-Sponsorship – Paid Family and Medical Leave

We will soon introduce legislation to create the Ohio Family and Medical Leave Insurance Program. Today we chose to send this co-sponsor request as this date marks the 25th anniversary of FMLA (Family Medical Leave Act). This legislation will provide 12 weeks of family and medical leave benefits, which will permit individuals to care for a family member, bond with a new child, or address their own serious health condition.

Out of 178 countries worldwide, the United States is one of three that does not provide paid leave to new mothers. So far five states—California, New Jersey, New York, Hawaii and Rhode Island offer some sort of paid leave to men and women who provide care. The federal Family Medical Leave Act provides 12 weeks of leave for family and medical reasons. This time is unpaid and employers with fewer than 50 employees are exempt, which eliminates a large segment of workers. Ohio should lead on the issue of paid leave to grow our economy and allow working people to put family first.

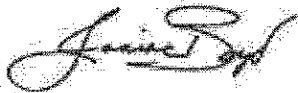
The program will be under the purview of the Department of Job and Family Services. An individual would receive leave insurance benefits for: a health condition which makes him/her unable to perform their job duties; caring for a new child during after birth, adoption, or foster care placement; caring for a child, parent, or spouse who has a serious health condition; or the individual is taking any other leave as authorized by the federal Family and Medical Leave Act. In order to be eligible for program benefits, an individual must file a claim with ODJFS; must have worked at least 680 hours during the base period; premiums have been withheld and remitted for at least one year; and the leave must be for the above-mentioned purposes.

Once established, program benefits will be paid by assessing premiums on employees. Employers will be required to deduct and withhold premiums from employee's wages. However, an employer may opt to pay the contributions on behalf of employees.

An employee who is covered by an employer policy or collective bargaining agreement that provides the employee with greater leave than that provided by the Family and Medical Leave Act may elect not to participate in the Program in accordance with rules adopted by the Director. An employee who elects to opt out of participating in the Program is not liable for any premium or contribution that would otherwise be due under the Program.

Working people in Ohio should not have to worry about losing their job or falling behind financially just to take care of a sick child or relative; address their own serious health condition; or care for and bond with their newborn child. Ohio cities like Dayton and Cincinnati are leading on leave. By allowing working people to put their family first, we can truly make Ohio a better place to live, work, and raise a family.

If you have any questions or would like to co-sponsor this legislation, please contact Dominic Paretti, at 614-644-5079 or via email at Dominic.Paretti@OhioHouse.Gov and Serena Finlay, 614-466-1896 or via email at Serena.Finlay@OhioHouse.Gov. **The deadline to co-sponsor is Friday, March 9 at 4:00pm.**



Janine Boyd
State Representative, Ohio House District 09

Kristin Boggs

Kristin Boggs

State Representative, Ohio House District 18

From: Westlake, Libby
Sent: Monday, February 26, 2018 8:54 AM
To: Westlake, Libby
Subject: E-Clips for 2/26/2018

HOUSE E-CLIPS 2/26/2018



FUTURE UNCERTAIN AS OHIO HIGHER EDUCATION BOARD SITS IDLE

The future of Ohio's once-powerful higher education advisory board remains uncertain as lawmakers move to change the way the state oversees education.

OHIO MOVES TO ADD WRIGHT FLYER TO STATE SEAL AMID DISPUTE

Ohio is staking another public claim to the Wright brothers' legacy amid a dispute with Connecticut over an aviator that state says flew first.

GOP GOVERNOR TAPS ADVISERS FOR GUN POLICY TALKS

Ohio Gov. John Kasich says he has convened a diverse group of advisers on gun policy to help him come up with a consensus policy proposal that he can bring forward in the coming days.



MEDICAL MARIJUANA MAY ARRIVE LATE IN OHIO

From litigation to audits to legislation, the attempted fixes are piling up for an Ohio medical marijuana program that has been beset by problems.

DEMOCRATIC CANDIDATES FOR OHIO GOVERNOR HOPE TO WIN BACK TRUMP VOTERS

Getting Ohio Democrats who voted for President Donald Trump back into the fold was a theme Sunday as Democratic candidates for governor appeared before the public in Marysville.

KASICH FAVORS ARMING TEACHERS, AGAINST 'STAND YOUR GROUND'

Ohio Gov. John Kasich said he is hoping that a group he's quietly convened to find solutions to gun violence in the state will be able to deliver something by the end of next week to the General Assembly.

FRUSTRATED ACTIVIST BASHES KASICH, EYES RECREATIONAL WEED

An architect of Ohio's medical marijuana law Friday accused Gov. John Kasich of intentionally torpedoing the state's program, which is supposed to start in September.

UNION MONEY NOW FUELS GOP LEGISLATIVE CAMPAIGNS IN OHIO

Ohio has increasingly become an island among states that have passed a right-to-work law — an initiative strongly opposed by labor unions.

NEARLY NEW LINEUP AT DEMOCRATS' NEXT OHIO GOVERNOR DEBATE IN TOLEDO

When four Democratic candidates for Ohio governor gathered for a debate in Columbus in October, they spent their time discussing Ohio's opioid crisis, the scandal surrounding online charter school ECOT, and the financial cost to local communities of state tax breaks for businesses.

KASICH ASSAILS DEMOCRATS FOR LACKING AGENDA

Launching a spirited attack against the Democratic Party, Ohio Gov. John Kasich charged he has "no clue" what Democrats stand for and complained they have "no agenda."

CAPITOL INSIDER: KASICH CHANGES HIS TUNE ON 'ASSAULT WEAPONS' VOTE

Ohio Gov. John Kasich's evolution on gun issues apparently continues.

EDITORIAL: DOING NOTHING IS NO LONGER ACCEPTABLE

Gun-rights advocates in the Ohio House of Representatives had every reason to expect House Bill 228 to pass easily, further dismantling the state's already-flimsy regulation of deadly weapons.

Dayton Daily News
www.daytondailynews.com

ANTHEM BLUE CROSS BLUE SHIELD ER POLICY CRITICIZED BY OHIO LAWMAKERS

Several Democratic state lawmakers want to penalize Anthem Blue Cross Blue Shield for a new policy that does not cover some emergency room visits deemed by the insurer not to be emergencies.

THE PLAIN DEALER

KASICH, OTHER GOVERNORS RESTATE NATIONAL NEED TO DEAL WITH HEALTH CARE COSTS AND QUALITY

Ohio Gov. John Kasich and his counterparts from Colorado and Alaska came to the nation's capital Friday to remind policy makers, businesses and the public: There's still much work to do on health care.

'YOU KNOW, WHEN YOU GET PUNCHED, AT LEAST IT ONLY HURTS FOR A MINUTE' OHIO MATTERS: EPISODE 6 - JOE SCHIAVONI

State Sen. Joe Schiavoni acknowledges the Democratic gubernatorial primary has been a tough fight so far.

REPUBLICAN OHIO GOVERNOR CANDIDATES SUPPORT ARMING TEACHERS TO HELP PREVENT SCHOOL SHOOTINGS

Both Republican candidates for Ohio governor say they support arming teachers as part of an approach to prevent further school shootings.

STATE EMPLOYEES WITH CLAIMS PROCESSED BY ANTHEM NOT AFFECTED BY NEW ER RULE

State employees are not affected by a new Anthem Blue Cross Blue Shield rule that leaves some policyholders with emergency-room bills when the company determines they didn't need emergency care.

OHIO RECREATIONAL MARIJUANA BALLOT MEASURE MIGHT NOT HAPPEN IN 2018, BACKER SAYS

Ohioans hoping to vote to legalize recreational marijuana this year will likely have to wait a little longer, perhaps as long as two years.

FACT CHECK: OHIO DEMOCRATS TAKE FRANK LAROSE'S REMARKS OUT OF CONTEXT

The Ohio Democratic Party on Friday circulated a 13-second audio recording of Republican Frank LaRose, a candidate for secretary of state, claiming that he was bragging about a Republican plan to gerrymander states across the country, including Ohio in 2011.

MARY TAYLOR'S CHIEF OF STAFF HAS NEW JOB WITH OHIO'S MEDICAL MARIJUANA PROGRAM

A longtime Kasich administration staffer has a new job advising Ohio's nascent medical marijuana program, but few details were available Friday about what he will do in the new role.

ROLL OF SHAME OF OHIO LAWMAKERS WHO OVERRODE GOP GOV. TAFT'S 2006 VETO, ENDING CITIES' BANS ON MASSACRE-CAPABLE WEAPONS: THOMAS SUDDER

Some Ohioans sincerely believe the Second Amendment trumps any attempt to regulate massacre-capable guns.

FIRSTENERGY CAN'T BE ALLOWED TO POCKET CORPORATE-TAX-CUT WINDFALL AND SHORT CUSTOMERS: EDITORIAL

The last time U.S. corporate tax rates were slashed, during the Reagan administration, some state utility regulators were slow off the mark in making sure investor-owned utilities didn't just pocket the profits without adjusting consumer bills, The New York Times reports.

THE ENQUIRER

**THE NRA HAS A LOVE-HATE RELATIONSHIP WITH THESE OHIO REPUBLICANS
– AND DEMOCRATS.**

The National Rifle Association has long supported Republicans around the country, and vice versa.

THE BLADE
One of America's Great Newspapers

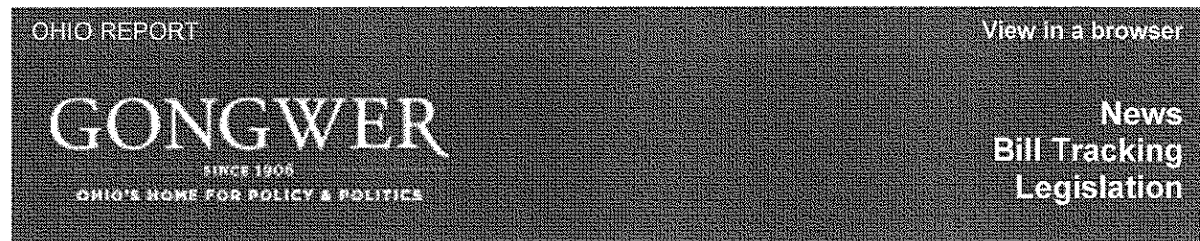
LITIGATION PROCEEDS OVER MEDICAL MARIJUANA LICENSING

A lawsuit that could endanger the timeline for Ohio's rollout of its fledgling medical marijuana program will forge ahead despite proposed legislation to give the state a chance to correct licensing flaws.

From: Gongwer News Service
Sent: Monday, February 26, 2018 6:26 PM
To: DL_Gongwer
Subject: Ohio Report, Monday, February 26, 2018
Attachments: 180226dayplan.htm; Feb26Senate.htm; Feb26House.htm; Feb26.htm

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OHIO REPORT MONDAY, FEBRUARY 26

\$2.62 Billion Capital Budget Prioritizes Projects To Address Opiate Addiction, Related Issues

Cardinal Health Among Drug Distributors Targeted In Latest DeWine Opioid Suit

Nearly \$29M In State IT Funding Clears Controlling Board

Adult Charge Stemming From Juvenile Conviction Challenged At High Court

Ohio Groups Debate Trump's Short-Term Health Plan Proposal

Travel Trailer Maker Tops List Of Tax Credits Issued By State Panel

Kasich Declares Emergency As Flood Risks Continue

Cyberattack Temporarily Shuts Down State Websites, Phones

Environmental Group Calls For Setback, Chemical Reporting Changes Following Well Fire

Schiavoni, Williams Plan Firearm Removal Bill; Yost Unveils School Safety Plan; High Court Hears Janus Case; Kucinich Continues Gun Push...

Governor's Appointments

Supplemental Event Planner

ACTIVITY REPORTS

House

Senate

CALENDARS

Day Planner

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Daily Activity Planner for Tuesday, February 27

Legislative Committees

Senate Transportation, Commerce & Workforce (Committee Record) (Chr. LaRose, F., 466-4823), Finance Hearing Rm., 9:30 a.m.

- HB 159** **MONTH DESIGNATION** (Riedel, C.) To designate May as "Drive Ohio Byways Month." (1st Hearing-Sponsor)
- HB 195** **WHEELCHAIR TRANSPORTS** (Ingram, C., Seitz, B.) To modify the provisions concerning the transport of persons who require the use of a wheelchair or other mobility aid in nonemergency circumstances. (3rd Hearing-All testimony-Possible amendments & vote)
- HCR 19** **HATE GROUPS** (Leland, D., Greenspan, D.) To denounce and oppose the totalitarian impulses, violent terrorism, xenophobic biases, and bigoted ideologies that are promoted by white nationalists and neo-Nazis, to urge law enforcement to recognize white nationalist and neo-Nazi groups as terrorist organizations, and to pursue the criminal elements of these domestic terrorist organizations in the same manner and with the same fervor used to protect the United States from other manifestations of terrorism. (2nd Hearing-Proponent)
- HB 336** **LICENSE FEES** (Barnes, J., Greenspan, D.) To prohibit the imposition of driver's license and temporary instruction permit reinstatement fees in specified circumstances and to name this act the Reinstatement Fee Amnesty Initiative. (2nd Hearing-Proponent)
- HB 250** **ELECTRIC BICYCLES** (Brinkman, T.) To establish requirements for the use of electric bicycles. (1st Hearing-Sponsor)
- Senate Local Government, Public Safety & Veterans Affairs (Committee Record) (Chr. Uecker, J., 466-8082), South Hearing Rm., 9:45 a.m.
- Confirmation hearing on governor's appointment of Scott Arthur, State Board of Emergency Medical, Fire and Transportation Services
- HB 307** **MONTH DESIGNATION** (Gonzales, A.) To designate September as "We Card Month." (2nd Hearing-Proponent)
- HB 229** **DAY DESIGNATION** (Romanchuk, M., Wiggam, S.) To designate February 3 as "Charles Follis Day." (2nd Hearing-Proponent)
- HB 202** **AWARENESS DAY** (Thompson, A.) To designate the first Saturday of May as "Veterans Suicide Awareness Day." (2nd Hearing-Proponent)
- SB 106** **SMOKING** (Tavares, C.) To prohibit smoking in a motor vehicle in which a child under six years of age is a passenger. (1st Hearing-Sponsor)
- HB 194** **LICENSE PLATES** (Johnson, T., Craig, H.) To establish a program for the issuance of special license plates related to military service and awards. (4th Hearing-All testimony-Possible amendments & vote)

House Rules & Reference (Committee Record) (Chr. Rosenberger, C., 466-3506), Rm. 119, 10 a.m.

House Ways & Means (Committee Record) (Chr. Schaffer, T., 466-8100), Rm. 121, 10 a.m.

SB 226 TAX HOLIDAY (Bacon, K.) To provide for a permanent three-day sales tax "holiday" each August during which sales of clothing and school supplies are exempt from sales and use tax. (1st Hearing-Sponsor)

SB 22 TAX LAWS (Peterson, B.) To expressly incorporate changes in the Internal Revenue Code since February 14, 2016, into Ohio law. (3rd Hearing-All testimony-Possible amendments, substitute & vote)

HB 507 TAX CREDIT (Gonzales, A.) To allow a refundable income tax credit for parents of stillborn children. (1st Hearing-Sponsor)

HB 488 TAX LEVIES (Hood, R., Becker, J.) To modify the information conveyed in election notices and ballot language for property tax levies. (1st Hearing-Sponsor & proponent)

Senate Judiciary (Committee Record) (Chr. Bacon, K., 466-8064), North Hearing Rm., 10:15 a.m.

- **Confirmation hearing on governor's appointments of Mark Wasylyshyn, Michael Staley, Brian Simms and Jay Beighley, Ohio Private Investigation and Security Services Commission**

SB 66 CRIMINAL LAWS (Eklund, J., Tavares, C.) To modify criminal sentencing and corrections law by including rehabilitation as a purpose of felony sentencing, removing the one-year minimum for presumptive fourth or fifth degree felony community control sanctions, modifying sanctions for a violation of a community control condition, modifying the manner of calculating confinement credits, modifying eligibility criteria and procedures for granting intervention in lieu of conviction, making offenders convicted of certain multiple fourth or fifth degree felonies eligible for conviction record sealing, revising procedures for the Adult Parole Authority to grant a final release or terminate post-release control, and modifying the criteria for considering a prison term sanction for a post-release control violation. (5th Hearing-All testimony-Possible vote)

SB 231 OFFENDER DATABASE (Gardner, R.) To provide for a violent offender database, require violent offenders to enroll in the database, and name those provisions of the act "Sierah's Law;" to modify the membership and duties of the Ex-Offender Reentry Coalition and eliminate its repeal; to require halfway houses to use the single validated risk assessment tool for adult offenders that the Department of Rehabilitation and Correction has developed; and to provide that the notice of release from prison of specified serious offense offenders that is given to sheriffs is to be the same as that provided to prosecuting attorneys and eliminate the notice to sheriffs regarding pardons, commutations, paroles, and transitional control transfers of offenders. (2nd Hearing-Possible amendments)

- SB 171** **PROTECTION ORDERS** (Hottinger, J.) To increase the penalty that applies to the offense of violating a protection order under certain circumstances and to require electronic monitoring of those convicted of violating certain protection orders to be carried out by probation agencies. (3rd Hearing-All testimony-Possible amendments)
- SB 195** **DOGS LAW** (Beagle, B.) To revise provisions of the Dogs Law governing nuisance, dangerous, and vicious dogs, to revise enforcement of that Law, and to establish a notification process regarding complaints of certain violations of that Law. (3rd Hearing-All testimony-Possible amendments)
- SB 244** **PROSTITUTION** (Dolan, M., Manning, G.) To amend the penalties for promoting prostitution. (2nd Hearing-Proponent)
- House Finance** (Committee Record) (**Chr. Smith, R., 466-1366**), **Rm. 313, 11 a.m.**
- HB 529** **CAPITAL APPROPRIATIONS** (Ryan, S.) To make capital appropriations and changes to the law governing capital projects and to make reappropriations for the biennium ending June 30,2020. (1st Hearing-Sponsor-Pending referral)
- HB 508** **OHIO CORPS** (Ryan, S., Reineke, B.) To establish the OhioCorps Pilot Project and to make an appropriation. (2nd Hearing-Proponent)
- HB 378** **BROADBAND GRANTS** (Smith, R., Cera, J.) To create the Ohio Broadband Development Grant Program and to make an appropriation. (5th Hearing-All testimony-Possible substitute)
- House Economic Development, Commerce & Labor** (Committee Record) (**Chr. Young, R., 644-6074**), **Rm. 113, 1:30 p.m.**
- HB 504** **INTERIOR DESIGNERS** (Pelanda, D.) Regarding interior designers. (1st Hearing-Sponsor)
- HB 263** **OUTDOOR DINING AREAS** (Lanese, L.) To generally allow an owner, keeper, or harbinger of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation. (6th Hearing-All testimony-Possible vote)
- HB 211** **HOME INSPECTORS** (Hughes, J.) To require the licensure of home inspectors and to create the Ohio Home Inspector Board to regulate the licensure and performance of home inspectors. (5th Hearing-All testimony-Possible vote)
- HB 433** **VETERINARY EDUCATION** (Kelly, B., Brinkman, T.) To allow a licensed veterinarian to receive up to two continuing education credits per biennium for performing free spaying and neutering services. (2nd Hearing-Proponent)
- House Criminal Justice** (Committee Record) (**Chr. Manning, N., 644-5076**), **Rm. 114, 1:30 p.m.**
- HB 457** **DRUG TREATMENT** (Antani, N.) To require that an offender serving a community control sanction or a parolee who fails a drug test for heroin,

fentanyl, or carfentanil be held in jail or admitted to a residential treatment program for up to 30 days. (2nd Hearing-Proponent)

HB 391 **ECONOMIC LOSSES** (**Merrin, D.**) To include the cost of accounting done to determine the extent of economic loss as a type of economic loss for which restitution may be granted. (4th Hearing-All testimony-Possible amendments & substitute)

House State & Local Government (Committee Record) (**Chr. Anielski, M., 644-6041**), Rm. 017, 2 p.m.

HB 454 **CEMETERY LOTS** (**Patterson, J., Arndt, S.**) To require a township to compensate the owner of certain unused cemetery lots and rights which the township reenters after lack of response from the owner. (5th Hearing-All testimony-Possible vote)

HR 299 **DRUG USE** (**Young, R., Ginter, T.**) To recognize the efforts and successes of the faith-based community in supporting and assisting individuals who are suffering from opioid and other drug abuse and addiction. (3rd Hearing-All testimony-Possible vote)

HB 483 **WEEK DESIGNATION** (**Patterson, J.**) To designate the second week of October as "Ohio Covered Bridge Week." (2nd Hearing-All testimony)

HB 484 **HEALTH DISTRICTS** (**Brenner, A.**) To authorize city and general health districts to use credit cards in accordance with prescribed requirements. (1st Hearing-Sponsor)

HB 492 **STATE PROCUREMENT** (**Gonzales, A.**) To establish the women-owned business enterprise program requiring state agencies to establish women-owned business procurement goals. (1st Hearing-Sponsor)

HB 493 **MINORITY ENTERPRISES** (**Gonzales, A.**) To authorize the Director of Administrative Services to enter into reciprocal agreements with other states with respect to the certification of minority business enterprises and EDGE business enterprises. (1st Hearing-Sponsor)

HB 500 **TOWNSHIP LAWS** (**Carfagna, R.**) To make various changes to township law. (1st Hearing-Sponsor)

House Government Accountability & Oversight (Committee Record) (**Chr. Blessing, L., 466-9091**), Rm. 313, 2 p.m.

- **Note time & room change.**

HB 382 **UNEMPLOYMENT COMPENSATION** (**Schuring, K.**) To modify terms describing payments made under the Unemployment Compensation Law, to increase the amount of wages subject to unemployment compensation premiums, to require qualifying employees to make payments to the Unemployment Compensation Insurance Fund, to allow the Director of Job and Family Services to adjust maximum weekly benefit amounts, to reduce the maximum number of benefit weeks, and to make other changes to the Unemployment Compensation Law. (15th Hearing-All testimony)

- HJR 4** **UNEMPLOYMENT COMPENSATION (Schuring, K.)** Proposing to enact Section 2t of Article VIII of the Constitution of the State of Ohio to allow the General Assembly to provide by law for the issuance of bonds to pay unemployment compensation benefits when the fund created for that purpose is or will be depleted or to repay outstanding advances made by the federal government to the unemployment compensation program. (15th Hearing-All testimony)
- HB 512** **EDUCATION DEPARTMENT (Reineke, B.)** To establish the Department of Learning and Achievement; to abolish the Department of Higher Education, the position of the Chancellor of Higher Education, and the Ohio Board of Regents; to transfer, with exceptions, the duties regarding the administration of primary and secondary education programs and all duties regarding the administration of higher education programs to the Department of Learning and Achievement; and to prescribe certain duties regarding educator licensure, community school sponsorship, and other education programs for the State Board of Education, Superintendent of Public Instruction, and Department of Education. (2nd Hearing-Proponent)
- HB 451** **PUBLIC RECORDS (Retherford, W.)** To exclude from the definition of public record under the Public Records Law any depiction by photograph, film, videotape, or digital, visual, or printed material of victims of crime under specified circumstances dealing with the victims' bodily privacy. (4th Hearing-All testimony-Possible vote)
- SB 223** **USED TIRES (LaRose, F.)** To prohibit the installation of unsafe used tires on certain motor vehicles. (4th Hearing-All testimony-Possible amendments & vote)
- SB 10** **PRIMARY ELECTIONS (LaRose, F.)** To expand the circumstances under which a board of elections or the secretary of state is not required to hold a primary election. (3rd Hearing-All testimony-Possible substitute)
- HB 506** **DOG BREEDERS (Hill, B.)** To revise the law governing high volume dog breeders. (2nd Hearing-Proponent-Possible amendments)
- HB 469** **TAX CREDIT (Schuring, K., Patton, T.)** To authorize a nonrefundable insurance company tax credit for contributions of capital to transformational mixed use development projects. (2nd Hearing-Proponent)
- HB 489** **FINANCIAL INSTITUTIONS (Dever, J.)** To provide some regulatory and tax relief to state banks and credit unions, to provide for data analytics to be conducted on publicly available information regarding banks, credit unions, and consumer finance companies, to modify when a creditor can file a claim against an estate, to require registration of mortgage loan servicers, and to require a specified notice be given to a debtor for certain debt collection. (1st Hearing-Sponsor-Possible amendments)
- SB 139** **LEGAL MATERIALS (Skindell, M., Eklund, J.)** To adopt the Uniform Electronic Legal Material Act. (1st Hearing-Sponsor)

HB 450 **HEALTH BENEFITS** (Antani, N.) To impose review and other requirements on existing health insurance mandated benefits and to establish requirements for the creation of new mandated benefits. (2nd Hearing-Proponent)

HB 342 **TAX LEVIES** (Merrin, D.) To permit local tax-related proposals to appear only on general and primary election ballots and not on an August special election ballot and to modify the information conveyed in election notices and ballot language for property tax levies. (4th Hearing-All testimony)

Senate Finance (Committee Record) (**Chr. Oelslager, S., 466-0626**), **Finance Hearing Rm., 2:30 p.m.**

- **Confirmation hearing on governor's appointments of Pamela Mowry, North Central State College Board of Trustees and Jo Ann Davidson and Ranjan Manoranjan, Ohio Casino Control Commission**

SB 266 **CAPITAL APPROPRIATIONS** (Oelslager, S.) To make capital appropriations and changes to the law governing capital projects and to make reappropriations for the biennium ending June 30, 2020. (Presentation from OBM Director Tim Keen)

HB 168 **CEMETERY REGISTRATION** (Stein, D.) To modify duties of the Division of Real Estate in the Department of Commerce regarding cemetery registration, to specify cemetery owners must reasonably maintain cemeteries, to establish the Cemetery Grant Program, and to make an appropriation. (4th Hearing-All testimony-Possible vote)

HB 251 **SUBDIVISION INVESTMENTS** (Greenspan, D.) To increase from five to ten years the maturity period of other political subdivision's bonds and obligations eligible for investment of a subdivision's interim moneys, a county's inactive moneys, and money in the county public library fund. (4th Hearing-All testimony-Possible vote)

Senate Health, Human Services & Medicaid (Committee Record) (**Chr. Burke, D., 466-8049**), **South Hearing Rm., 3:15 p.m.**

SB 218 **MEDICAID PROVIDERS** (Lehner, P.) Regarding surety bonds and minimum training for certain Medicaid providers. (1st Hearing-Sponsor-Possible amendments)

HB 332 **ANATOMICAL GIFTS** (Antani, N.) Regarding anatomical gifts, transplantation, and discrimination on the basis of disability. (1st Hearing-Sponsor)

HB 340 **PUBLIC ASSISTANCE** (Young, R.) Regarding the release of information concerning public and medical assistance recipients. (1st Hearing-Sponsor)

SB 233 **COTTAGE FOOD PRODUCTION** (Thomas, C.) To allow a cottage food production operator to use a firebrick oven located on a patio at the operator's residence for purposes of the cottage food production operation (2nd Hearing-Proponent)

HB 111 **MENTAL HEALTH COMMITMENTS** (Carfagna, R., Ryan, S.) To authorize certain advanced practice registered nurses to have a person involuntarily

transported to a hospital for a mental health examination. (4th Hearing-All testimony-Possible amendments)

House Education & Career Readiness (Committee Record) (Chr. Brenner, A., 644-6711), Rm. 121, 4 p.m.

HB 502 YOUTH SUICIDE (Anielski, M.) With regard to educator inservice training on youth suicide awareness and prevention in public schools. (1st Hearing-Sponsor)

HB 503 YOUTH SUICIDE (Anielski, M.) With regard to educator inservice training on youth suicide awareness and prevention in private schools. (1st Hearing-Sponsor)

HB 318 SCHOOL RESOURCE OFFICERS (Patterson, J., LaTourette, S.) To define the necessary qualifications and responsibilities of school resource officers. (3rd Hearing-All testimony-Possible substitute & vote)

HB 428 STUDENT EXPRESSION (Ginter, T., LaTourette, S.) Regarding student religious expression and to entitle the act the "Ohio Student Religious Liberties Act of 2018." (3rd Hearing-Opponent)

HB 491 EDUCATION LICENSE (Edwards, J.) To require the State Board of Education to issue a substitute license to specified pupil services personnel. (2nd Hearing-All testimony)

HB 360 BULLYING (Greenspan, D.) To enact the "Ohio Anti-Bullying and Hazing Act" with regard to school discipline and bullying and hazing policies at public schools and public colleges. (4th Hearing-Possible substitute)

Senate Government Oversight & Reform (Committee Record) (Chr. Coley, B., 466-8072), Finance Hearing Rm., 4 p.m.

SR 342 COLUMBUS CREW (Kunze, S.) To urge the investor-operator and chairperson of Columbus Crew Soccer Club to keep the franchise in Columbus. (2nd Hearing-All testimony-Possible vote)

SB 221 AGENCY RULEMAKING (Uecker, J.) To reform agency rule-making and legislative review thereof. (3rd Hearing-Opponent-Possible amendments)

HB 226 FIREWORKS (Seitz, B., Sweeney, M.) To establish a fireworks study group to review and make recommendations regarding the Fireworks Law, to extend to July 1, 2020, the moratorium on issuing fireworks manufacturer and wholesaler licenses, to eliminate, beginning January 1, 2021, the moratorium on geographic transfer of fireworks manufacturer and wholesaler licenses, and, beginning July 1, 2020, to impose a fee on the retail sale of consumer grade fireworks in this state and to expand the ability of individuals to obtain 1.3G display fireworks and obtain and use 1.4G consumer fireworks. (2nd Hearing-Proponent)

SB 239 REGIONAL GOVERNMENT COUNCILS (Dolan, M.) To modify the law concerning regional councils of governments. (3rd Hearing-Opponent)

Agency Calendar

Board of Building Appeals, Division of Industrial Compliance, 6606 Tussing Road, Training Room 1, Reynoldsburg, 8:30 a.m.

Event Planner

State Auditor Dave Yost and GOP lawmakers news conference on Medicaid compliance, Press Briefing Rm., Statehouse, Columbus, 10 a.m.

Ohio Lobbying Association Annual Meeting & Legislative Reception, Sheraton Columbus at Capital Square, 75 E. State St., Columbus, 4 p.m., (4:00 pm - Annual Meeting for OLA Members; 5:00 pm - Legislative Reception. More info and to register: http://bit.ly/2018_OLA_AM)

Rep. Glenn Holmes (D-McDonald) fundraiser, Westies Gastropub, 940 S. Front Street, Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$250 to Committee to Elect Glenn Holmes. RSVP with Jenna Gravalis at 551-427-9895 or jgravalis@ohiodems.org)

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Senate Activity for Monday, February 26, 2018

INTRODUCED

SB 266 ■ **CAPITAL APPROPRIATIONS (Oelslager, S.)** To make capital appropriations and changes to the law governing capital projects and to make reappropriations for the biennium ending June 30, 2020.
Gongwer Coverage

SB 267 ■ **SOLICITING (Brown, E., Kunze, S.)** To increase the penalty for soliciting when the person solicited is eighteen years of age or older, to specify that the fine for soliciting in this circumstance is not more than two thousand five hundred dollars, and to specify that up to one thousand dollars of that fine may be deposited into the Victims of Human Trafficking Fund. Am. 2907.24 and 5101.87

SENATE PRESIDENT'S APPOINTMENTS

Joint Education Oversight Committee: Senator Gayle Manning as chair .

DELIVERED TO THE GOVERNOR

SB 144 ■ **DISABILITIES COUNCIL (Burke, D.)** To abolish the Opportunities for Ohioans with Disabilities Commission, Consumer Advisory Committee, and Governor's Council on People with Disabilities; to establish a state rehabilitation services council known as the Opportunities for Ohioans with Disabilities Council; and to restore staggered terms of office for the employee members representing firefighters on the board of trustees of the Ohio Police and Fire Pension Fund.

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House Activity for Monday, February 26, 2018

INTRODUCED

HB 526 ■ **SCHOOL SAFETY** (DeVitis, T., Sweeney, M.) To authorize a public or chartered nonpublic school to enter into an agreement with a volunteer law enforcement officer to patrol school premises to prevent or respond to a mass casualty event, to provide the parties with a qualified immunity from civil liability, and to provide a tax credit for volunteer service. Am. 5747.08 and 5747.98 and to enact sections 3313.94 and 5747.64

HB 527 ■ **VISITATION RIGHTS** (LaTourette, S.) To allow certain specified persons to petition the probate court for reasonable visitation with an incompetent or ward if visitation between the person and the incompetent or ward has been interfered with or denied. Am. 2111.132

HB 528 ■ **CORPSE ABUSE** (Smith, R., Rezabek, J.) To expand the penalties for abuse of corpse offenses. Am. 2927.01 and 2929.13

HB 529 ■ **CAPITAL APPROPRIATIONS** (Ryan, S.) To make capital appropriations and changes to the law governing capital projects and to make reappropriations for the biennium ending June 30, 2020. Am. 164.05
Gongwer Coverage

HOUSE SPEAKER'S APPOINTMENTS

Insurance Committee: Remove Representative LaTourette; appoint Representative Lang.

DELIVERED TO THE GOVERNOR

HB 45 ■ **MONTH DESIGNATION** (Sprague, R.) To designate May as "Neurofibromatosis Awareness Month."

HB 79 ■ **FIREARMS TRAINING** (Retherford, W., Hagan, C.) To provide for firearms training for tactical medical professionals; to permit such a professional who has received that training and has been authorized by the law enforcement

agency to carry firearms while on duty; and to grant such a professional the same right to carry a concealed handgun in this state as a concealed handgun licensee.

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Volume #87, Report #38 -- Monday, February 26, 2018

\$2.62 Billion Capital Budget Prioritizes Projects To Address Opiate Addiction, Related Issues

The General Assembly is doubling its prior financial commitments for behavioral and mental health infrastructure in the capital appropriations budget that was introduced Monday.

The bill includes \$2.62 billion in new spending on bricks-and-mortar projects as well as a yet-to-be-disclosed amount of reappropriations for ongoing capital projects approved in prior biennia. The bill covers spending in Fiscal Years 2019-2020.

Companion House and Senate measures (HB 529 and SB 266) allocate \$222 million for health and human services, developmental disabilities, mental health, addiction treatment and women's health initiative facilities over the next two fiscal years.

The fast-tracked budget, which will receive first hearings in both chambers on Tuesday, also includes \$150 million in community projects - \$20 million more than the original funding target - \$600 million for school facilities, \$514 million for local infrastructure projects and \$483 million for public colleges and universities.

The state will issue bonds to fund the spending.

The expanded health and human services support funding was added in response to the growing impact of the opiate epidemic, Senate President Larry Obhof (R-Medina) said.

"So where in the prior budgets you may have seen a few of these pop up, I think it's on the minds of a lot of people and we all recognize that these are some of the more important issues facing the state of Ohio and these are some of the things we chose to prioritize."

Some of the projects set to receive a chunk of the \$222 million are Alvis House and Maryhaven in Columbus, President Obhof said. The respective \$300,000 and \$125,000 projects would add about 260 additional treatment beds for addicts in Franklin County.

"We see these things throughout the state and not just in Franklin County, in Cuyahoga and Hamilton counties but in some of rural areas as well," Sen. Obhof said. "There are number of requests that are being funded from members throughout the state of Ohio for things like that."

Of the total allocation for such infrastructure plans, \$20 million will be provided through competitive grants, which were proposed by Gov. John Kasich. (See Gongwer Ohio Report, February 12, 2018)

So-called community resiliency projects that focus on expanding spaces for youth programming would receive the funding, said Senate Finance Committee Chairman Scott Oelslager (R-N. Canton). The Department of Mental Health and Addiction Services and local groups will likely select the recipients.

"We recognize the need there and listened very carefully to the community," he said of the funding dedicated to combatting the opiate epidemic and related issues.

While that area of the budget saw a boost, overall capital appropriations shrunk by about \$10 million from the last budget, Sen. Obhof said. He's hopeful, however, that it will have a similar reach.

"We think that due to sound fiscal management and the hard work we put in in the main operating budget last year, we do have the capacity for the bonding and the funding of various projects throughout the state that you see in the bill," he told reporters after the legislation was introduced.

Leaders of both parties in each chamber worked together to iron out the details prior to the measure's introduction Monday, making it ripe for quick passage.

President Obhof said he expects a Senate vote on the House version - which will serve as the vehicle for the budget - in the week before spring break, which is set to begin in late March.

Local projects were brought forward by individual members for consideration while community colleges and universities created their own priority funding packages. (See Gongwer Ohio Report, November 22, 2017)

"This capital budget will give the legislature a tremendous opportunity to address several infrastructure and construction projects that will generate a positive return on investment for communities all across the state," Speaker Cliff Rosenberger (R-Clarksville) said in a statement. "I want to commend the members of the legislature and local leaders for their collaboration and commitment to helping improve the lives of so many Ohioans through this legislation."

The capital budget has historically drawn bipartisan support as lawmakers look to support money funneled to projects in their communities. That trend is expected to continue this year.

"As legislators, we review capital budget applications, meet with individuals and organizations and visit project sites. You can't help but become passionate about what we can do to invest in Ohio's infrastructure and improve the community," Senate Minority Leader Kenny Yuko (D-Richmond Heights) said. "Although it's unfortunate that we can't fund every much-needed community project that comes to our attention, I am happy with the progress that will be made through the capital budget."

If the capital bill process follows those of prior years, no major changes will occur during deliberations unless there are problems with the bill. The last several capital budgets passed with few if any amendments once they were introduced.

Cardinal Health Among Drug Distributors Targeted In Latest DeWine Opioid Suit

Attorney General Mike DeWine on Monday announced that he has filed a lawsuit against four drug distributors for their role in the opioid epidemic.

The lawsuit, filed in Madison County Common Pleas Court, alleges that the drug distributors were negligent in over-supplying addictive opioid prescription drugs.

"We believe the evidence will show that these companies ignored their duties as drug distributors to ensure that opioids were not being diverted for improper use. They knew the amount of opioids allowed to flow into Ohio far exceeded what could be consumed for medically-necessary purposes, but they did nothing to stop it," AG Mike DeWine said in a statement.

"And much like the drug manufacturers who continue to fail to do the right thing, these distributors are doing precious little to take responsibility for their actions and help pay for the damage they have caused."

Named in the lawsuit are McKesson Corporation, Cardinal Health and its subsidiaries, AmerisourceBergen Drug Corporation and Miami-Luken, Inc.

Cardinal Health in a statement said it has been cooperating to "alleviate the public health crisis and save lives" through a multi-state effort led by 40 attorneys general and a multi-jurisdictional effort in Cleveland.

"We are extremely disappointed that Attorney General DeWine chose to go outside of these established processes at this critical moment in time to file this unfounded lawsuit," the company said in a statement.

The company went on to say that it cares deeply about the opioid epidemic and that there must be work toward meaningful solutions.

"This is why we launched our Opioid Action Program which augments our substantial efforts to combat opioid abuse and is providing funds and support for take back efforts, Narcan giveaways for first responders, and grants for communities looking to find holistic solutions to this public health issue throughout Ohio," it said.

"Cardinal Health has made a significant investment in state-of-the-art controls to effectively combat the diversion of pain medications from legitimate uses. We believe this kind of effort and investment, and not baseless litigation, is the way to alleviate this problem."

The lawsuit alleges that the companies fueled the opioid epidemic by distributing enough of the drugs to fill more than 11.8 million prescriptions from 2011 to 2016, amounting to dosages that averaged more than 739 million each year.

The drug epidemic has resulted in annual damages in excess of \$1 billion, the lawsuit alleges. Those costs include medical care; treatment for infants born with opioid-related medical conditions; public safety measures; substance abuse prevention; and welfare and social services for the children of addicted parents.

The lawsuit also alleges that more than 7,000 Ohioans have died due to the opioid crisis.

The companies "have supplied and continue to supply quantities of prescription opioids in and around Ohio without taking proper measures based on their actual or constructive knowledge that individuals were consuming opioids for non-medical purposes," the lawsuit reads.

Among the remedies Mr. DeWine is seeking are punitive and compensatory damages.

This marks the second lawsuit the AG has filed against drug companies over the opioid crisis. (See Gongwer Ohio Report, May 31, 2017)

Nearly \$29M In State IT Funding Clears Controlling Board

Controlling Board members Monday approved more funding for state information technology projects after raising questions about performance-based contracts and the state's savings from consolidating services.

The requests from the Department of Administrative Services included one worth nearly \$24.8 million for the state's main IT services delivery line item, which has increased over the years due to the consolidation, DAS Chief Financial Officer Jennifer Leymaster told the board.

The other request, for \$4.4 million, dealt specifically with a pair of projects involving nine agencies, she said.

Rep. Scott Ryan (R-Newark) asked if the state's IT contracts have performance clauses for the timing of delivery or for the accountability of functions.

The request Monday didn't deal with specific contracts, just the appropriation changes needed to cover contract costs, Ms. Leymaster said.

"We'd be happy to see if individual contracts have the type of controls that you're asking about," she said.

Ms. Leymaster told Sen. Charleta B. Tavares (D-Columbus) that the projects are part of a broader optimization project that has saved the state more than \$160 million since its inception.

The board also approved two significant funding requests from the Development Services Agency to support affordable housing after Sen. Bill Coley (R-Liberty Twp.) asked about cost containment measures and access for people with disabilities.

The requests included \$13.6 million for the Ohio Housing Finance Agency to administer the Housing Development Assistance Program, and \$5.5 million for housing assistance programs across the state.

Kelan Craig, director of planning, preservation and development at the Ohio Housing Finance Agency, said the administration has worked to ensure projects are done effectively at low cost.

As for accessibility for people with disabilities, there are specific requirements for projects targeted at seniors and for permanent supportive housing developments, but not for standard affordable housing, he said.

"Let's just watch that and make sure we don't have a problem with that," Sen. Coley said.

A request by the Department of Mental Health and Addiction Services for \$1.1 million to replace the emergency generator at Appalachian Behavioral Healthcare in Athens was approved after Sen. Coley asked about the hospital's involvement in plans to participate in peak demand emergency programs.

Stephen Wilson, legislative liaison for ODMHAS, said the state found it would only save a couple thousand dollars to participate in the utility's peak demand program, while placing strict requirements on hospital staff.

Sen. Coley said the programs can help other facilities, such as industries and schools, when the power goes down.

"Hospitals around the state are finding great benefits to these programs," he said.

In total, the board approved 82 requests for funding.

Other items approved included: (Agenda)

- \$2.9 million - Central State University - for repair and modernization of the Hallie Q. Brown Memorial Library.
- \$11.7 million - Cleveland State University - to contract for an addition project at Fenn Hall.

- \$1.9 million - Cuyahoga Community College - to buy 12.82 acres of real estate in Euclid for the expansion of the Transportation, Distribution and Logistics Academy.
- \$1 million - Adjutant General's Department - for masonry renovation and HVAC work at the Hamilton Readiness Center in Butler County.
- \$4.6 million - DAS - for administration of the Multi-Agency Radio Communication System.
- \$2.3 million - Department of Agriculture - for lab supplies and equipment.
- \$1.1 million - Department of Mental Health & Addiction Services - for emergency generator replacement at Appalachian Behavioral Healthcare in Athens.
- \$1.6 million - Bureau of Motor Vehicles - for federal grants to purchase and install document scanners and update existing computer systems to confirm commercial driver's license applicants provided proof of citizenship or permanent residency.
- \$10.5 million - Facilities Construction Commission - for master facilities plan amendments from Elida Local School District and Bloom-Carroll Local School District.

Adult Charge Stemming From Juvenile Conviction Challenged At High Court

Can a juvenile adjudication be used to satisfy an element of a crime committed as an adult?

Anthony Carnes will argue that it can't in a case the Ohio Supreme Court is set to hear Tuesday.

Mr. Carnes was charged with a third-degree felony offense of weapon-under-disability based on a 1994 juvenile adjudication. He moved to have the charge dismissed, but the trial court denied his motion.

The First District Court of Appeals upheld the trial court's decision. But Mr. Carnes argued that both court erred in their decisions.

"Simply put, juvenile adjudications are not criminal convictions and should not be viewed as such. This conclusion is reinforced by the fact that Ohio's juvenile system uses two different approaches, one mandatory and one discretionary, to transfer its most severe offenders into the adult system, and has a process to include an adult sentence with a juvenile rehabilitation for the next most serious level of offenders," his merit brief reads.

"In line with that approach, this court has prohibited juvenile adjudications from increasing punishment for subsequent adult conduct. Given that framework, it is incongruous for such adjudications to be permitted to turn what would otherwise be lawful conduct into a crime. Thus, a juvenile adjudication should not be deemed to meet an element of an offense charged against an adult."

The Juvenile Law Center and the Buckeye Firearms Association both weighed in on the case on behalf of Mr. Carnes.

"Individuals with Ohio juvenile adjudications do not fit into the long standing prohibition on the possession of firearms by felons because they simply are not felons by definition," the BFA wrote in its amicus brief.

The state, however, argues that a juvenile adjudication cannot be used to enhance a penalty, but it can be used as an element of a crime. The state also contends that if the court were to side with Mr. Carnes it would gut the state's law prohibiting the possession of a weapon under disability.

Under the law, "there are multiple means of being placed under a disability that do not include the right to a jury trial: being a fugitive from justice, being under indictment for a felony offense of violence, being under indictment for a felony drug offense, being drug dependent or in danger of drug dependence, being a chronic alcoholic, and being adjudicated mentally incompetent. Just as is the case with a juvenile adjudication, none of those situations carries a right to a jury trial - state," the state writes.

The Cuyahoga County Prosecutor's Office has also asked the court to affirm the First District ruling.

"Persons who commit violent felony offenses are considered bad risks who should not be allowed to legally possess a firearm. The fact that a person who commits the violent felony offense as a juvenile does not make that person any less of a bad risk," it wrote in an amicus brief.

"But Ohio's weapons disability law recognizes that people can turn their lives around and become law-abiding citizens after committing a single indiscretion or even after committing a series of crimes decades ago. That person can legally possess a firearm after following the appropriate statutory remedy; but until that time, the person should not be able to possess a firearm under Ohio law."

Three district court judges will be involved in the case because Justice Sharron Kennedy, Justice Patrick Fischer and Justice Patrick DeWine have recused themselves.

Justice DeWine concurred in judgement only with the First District's opinion upholding the trial court's decision to deny the motion to dismiss the charge.

The high court is set to hear two other cases Tuesday, it reported:

- In *Ohio Bureau of Workers' Compensation v. Cirino*, it will hear a case involving a Bureau of Workers' compensation beneficiary challenging the electronic payment program because he is charged fees by his bank. The state argues the case must be filed in the Court of Claims.
- A Columbus attorney is facing a six-month stayed suspension for failure to keep and maintain required financial records in the case of *Columbus Bar Association v. Keating*.

Ohio Groups Debate Trump's Short-Term Health Plan Proposal

A Trump administration proposal to expand options for short-term health insurance is designed to give consumers more options in the marketplace without the regulatory burden of current plans.

Opponents say it could lead to more limited coverage and raise premiums for people on standard exchange plans.

The proposal by the federal Centers for Medicare and Medicaid Services, announced last week, would allow short-term, limited-duration health insurance plans to provide coverage for up to 12 months, up from the current maximum of three months.

These plans are not required to meet the federal requirements for individual health insurance, such as providing essential health benefits or coverage for people with pre-existing conditions.

"In a market that is experiencing double-digit rate increases, allowing short-term, limited-duration insurance to cover longer periods gives Americans options and could be the difference between someone getting coverage or going without coverage at all," CMS Administrator Seema Verma said in a statement.

In Ohio, the move will provide more competition in the marketplace for health insurance, said Greg Lawson, research fellow at the Buckeye Institute.

"It's not going to be a perfect fit for everybody, but for those individuals that it works for, this could be something that could work for you, and it would be a cheaper alternative than being forced into the exchange," he said in an interview.

Critics say the change will erode coverage for people who sign up for the short-term plans and drive up premiums for those who need the more comprehensive coverage of Affordable Care Act-compliant plans.

"These short-term plans are likely to be harmful in the long run," said Steven Wagner, executive director of UHCAN Ohio. "Since they may lack meaningful coverage, people may find that their health care costs are not covered or face substantial out of pocket costs. These plans are a step in the wrong direction."

A report by the Urban Institute estimated the change would lead to an increase of 2.5 million people without minimum essential health care coverage by 2019, and an increase of 18.2% in 2019 premiums for ACA-compliant nongroup insurance plans.

The changes would allow people to shop around for the coverage they want, Mr. Lawson said. The Buckeye Institute and others have criticized the ACA exchanges for placing burdensome regulations on insurers and raising premiums.

"In general, what this will allow is you can have more barebones type policies that are more affordable," he said. "I don't think this is necessarily the pathway that we would prefer to see on a permanent basis but given the fact that the affordable care act is still the law of the land, this does give some breathing space."

Mr. Wagner said those requirements ensure people have comprehensive insurance coverage. He called the latest change part of an effort to eliminate coverage requirements created under the ACA.

"The Trump Administration is eating away at the foundations of health care coverage like termites in the foundation," he said. "This change along w the ability to alter the essential health benefits weakens people's access to quality affordable health care."

Travel Trailer Maker Tops List Of Tax Credits Issued By State Panel

The Tax Credit Authority on Monday approved incentives for four projects that promise to create a total of 475 jobs and retain another 1,405 positions, the Development Services Agency reported.

The \$2.81 million in tax credits, an estimate that depends on the companies meeting their hiring goals and other criteria, are projected to help trigger \$41 million in investments and result in more than \$24 million in new payroll, according to the state.

Topping the list in terms of impacted jobs and tax credit value is the \$2.325 million incentive for **Airstream, Inc.** in the Village of Jackson Center in Shelby County.

The designer and manufacturer of travel trailers and touring coaches expects to create 280 full-time positions generating \$14.8 million in new payroll while retaining \$57.2 million in payroll with its expansion project. The TCA approved a 1.874%, nine-year Job Creation Tax Credit for the plans.

The other approved projects (estimated tax credit values) are:

Sedgwick Claims Management Services, Inc. of Hilliard (Franklin Co.). The provider of claims, productivity, managed care, risk consulting and other services expects to create 109 full-time positions generating \$4.3 million in new payroll while retaining \$13.4 million in payroll. The expansion plans attracted a tax credit of 1.31% over seven years (\$400,000).

Veeva Systems Inc. of Dublin (Franklin Co.) plans 46 new jobs, \$3.5 million in new payroll and the retention of \$2.1 million in payroll with its expansion. TCA awarded a 1.62%, seven-year tax credit for the project (\$355,000).

Modular Assembly Innovations LLC of Allen Township (Union Co.), which plans 40 new jobs, \$1.4 million in new payroll and the retention of \$7.6 million in payroll. The provider of manufacturing and modular assembly services to the automotive industry was awarded a 1.055%, six-year JCTC (\$90,000).

Kasich Declares Emergency As Flood Risks Continue

Two days after Gov. John Kasich declared a state of emergency in 17 counties, areas of Ohio are continuing to grapple with flooding.

On Saturday, the governor issued his emergency declaration in the face of flooding - particularly along the Ohio River, which was expected to crest Monday.

Although rains have stopped, flood waters linger in some areas, closing roads and posing ongoing safety risks. The National Weather Service has said flood warnings are expected to persist for several more days in the central U.S. as "numerous river systems will remain in flood stage this week."

"As the weather and flooding is expected to get worse we're staying ahead of things by taking our readiness up to the next level and declaring an emergency where we expect the worst conditions," Gov. Kasich said over the weekend. "We'll quickly add to those areas as it's needed."

Counties affected by the proclamation include: Adams, Athens, Belmont, Brown, Clermont, Columbiana, Gallia, Hamilton, Hocking, Jackson, Jefferson, Lawrence, Monroe, Meigs, Muskingum, Scioto and Washington.

The state's Emergency Operations Center had been preparing for this round of flooding since at least Feb. 18. That's the day the Ohio EMA Watch Office began providing regular awareness reports multiple times a day to state, local and federal agencies.

In recent days meals have been provided to the elderly by the Department of Aging, emergency management liaisons have been dispatched to assist county-level operations centers, and swift water rescue teams have been positioned.

"Ohioans do a good job of looking out for each other and we're doing it again now also," Gov. Kasich said. "Teams at the local level are hard at work and state teams have been coordinating with them and supporting them over the past week."

Following the Kasich order, the EMA transitioned from assessment and monitoring to partial activation and the state's Joint Information Center was opened. That followed Ohio National Guard deployments to help install flood gates and a flood wall in Scioto County.

In recent days, state entities have assisted in providing sand bags and a water pump to communities in Lawrence County. A major rockslide on Monday closed a portion of a highway in that county, according to the Ohio Department of Transportation. State geologists were on the scene.

"I urge people to stay safe by staying informed, not taking any chances and checking in on your neighbors, especially seniors and families with young kids," the governor said. "Call your local city, county or Red Cross if there's anyone who needs help. We'll get through this as we always do, by working together."

At the same time, Attorney General Mike DeWine has issued several tips to steer residents away from flood-related scams that may arise.

"As people across Ohio assess the damage and start the clean-up process, we're reminding consumers to beware of scams," Mr. DeWine said. "Some con artists travel to affected communities to take advantage of people. They offer to help, but once they get your money, they're gone. After the flooding, we also could start to see flood-damaged vehicles entering the market. We just warn people to be careful."

Cyberattack Temporarily Shuts Down State Websites, Phones

The Department of Administrative Services is making modifications after a cyberattack blocked state websites and phone systems for multiple hours Sunday evening.

DAS spokesman Tom Hoyt said the attack was launched shortly after 5:30 p.m. Sunday and "was addressed quickly and remediated at approximately 9:50 p.m."

"It was not a breach - no personal information was compromised," Mr. Hoyt said.

Several accounts seemingly affiliated with the so-called "hacktivist" group Anonymous appear to be taking credit for the attack on social media. Anonymous-linked users posted screenshots showing error pages that appeared when trying to access state websites.

The attack was a denial-of-service attack, which is a concerted effort in which users bombard a targeted system with requests, thereby overloading and disabling it for legitimate users.

"The attack itself was educational in the sense that we now know how this type of attack is done and we can put in filters and prepare to help us be ready if it happens again," Mr. Hoyt said. This is the first time DAS has grappled with this specific method of a denial-of-service attack.

"These types of attacks can be done in different ways so we're aware of them and prepare for them," Mr. Hoyt said. "This was conducted in a different way, but once you go through that, you learn how it's done and we can prepare for the next time."

It's not the first time the state has been faced with a cyberattack.

Nearly a dozen state websites were impacted last year after hackers posted pro-ISIS messages on state homepages. That "internet graffiti-style" attack, however, was believed to be surface-level in nature with hackers not accessing the state's servers. (See Gongwer Ohio Report, June 26, 2017)

Environmental Group Calls For Setback, Chemical Reporting Changes Following Well Fire

The Ohio Environmental Council is pointing to a Feb. 15 explosion and fire at a Belmont County oil well as new evidence pointing to the need for increased well setbacks.

But a leading oil and gas group is accusing the council of seeking to block industry development with its latest call for new legislation.

A horizontal well operated by XTO caught fire earlier this month, causing explosions and leading to the evacuation of residents within a one mile perimeter as the well continued to leak methane and other gasses.

XTO has said it has contracted with various companies to monitor the area and oversee cleanup operations. It has also paid to house 100 households who were displaced. Those residing beyond a half mile from the site have since been moved back into their homes.

The OEC said the incident is a "wake up call" demonstrating a need to strengthen Ohio's current law requiring horizontal wells to be located at least 100 feet from rural homes.

"What this incident demonstrates is that Ohio's current setback laws for horizontal oil and gas wells are clearly insufficient and do very little to protect communities from this new wave of oil and gas development," said Melanie Houston, director of climate programs at the Ohio Environmental Council. "Given the frequency of horizontal well pad incidents in Ohio over the past five years, it is past time for Ohio lawmakers to reconsider a safer setback distance."

The group said the incident also shows the need to examine laws requiring well operators to disclose hazardous chemicals to emergency responders. That debate was a point of contention during budget talks last year. (See Gongwer Ohio Report, April 14, 2017)

"State lawmakers also must close the chemical reporting loophole in Ohio law to make sure that first responders such as those responding to last week's incident can get the full accounting of chemical identities during oil and gas emergencies," Ms. Houston said.

The Ohio Oil and Gas Association, however, said 2012 legislation in that arena "created one of the most stringent regulatory programs for chemical disclosure in the nation."

That bill (SB315, 129th General Assembly) was a far-reaching energy mid-biennium review measure that strengthened requirements. But Democrats and environmental groups at the time said it didn't go far enough with its chemical disclosure provisions. (See Gongwer Ohio Report, May 24, 2012)

"The bill required chemical disclosure to all first responders, providing access to the information that they need and allowed (the Ohio Department of Natural Resources) to ask for additional chemical information when there is an incident," said Matt Hammond, OOGA's senior vice president.

As far as the idea of increased setbacks, the organization accused OEC and its allies of attempting to use a setback increase to snuff out oil and gas development.

"We have all heard the calls for increased setback distances since 2003 and found that environmental groups have supported setback distances for the sole purpose to offend the property rights of landowners and effectively block oil and gas development," Mr. Hammond said.

Schiavoni, Williams Plan Firearm Removal Bill; Yost Unveils School Safety Plan; High Court Hears Janus Case; Kucinich Continues Gun Push...

Sen. Joe Schiavoni (D-Boardman) and Sen. Sandra Williams (D-Cleveland) on Monday announced their intention to introduce a bill allowing for the removal of firearms from people deemed to be an imminent danger to themselves or others.

The proposal would establish an Extreme Risk Protection Order that would allow family or law enforcement to ask a court to temporarily remove firearms for up to one year.

"Family members are often the first to know when a loved one starts showing signs that they're dangerous to themselves or people around them," Sen. Schiavoni, a Democratic gubernatorial candidate, said in a statement. "Sadly, there aren't many options available to be proactive, remove weapons and prevent those moments from becoming tragedies. This bill is common sense. It provides a clear process when loved ones notice those red flags."

Five other states have similar laws. In announcing the intention to introduce the measure, the lawmakers cited Gov. John Kasich, who in a recent television interview expressed support for ERPOs.

"I am pleased to see the conversation turn and the mood shift toward sensible gun safety measures in Ohio," Sen. Williams said. "I'm also pleased to see Gov. Kasich supporting efforts to combat gun violence. We know how to reduce gun violence in America while still respecting the Second Amendment. This bill is a step forward in that direction."

School Safety: State Auditor Dave Yost on Monday rolled out a three-point school safety plan centered on securing buildings.

The attorney general hopeful's plan calls for a statewide inventory of security measures at all 5,200 school buildings across the state and a bond-backed program to modify them to create a single point of entry, install electronic zoned locking systems and add video cameras.

The final piece of the plan calls for the establishment of a training program for school staff volunteers with prior military or law enforcement experience.

"We need to protect our kids at school at least as well as we protect our politicians at work," Auditor Yost said in a statement. "This program takes the same proven tactics and technology we use in government offices-and many private businesses-and puts them to work in our schools, where our greatest treasures are."

Janus Case: A day ahead of the U.S. Supreme Court hearing oral arguments in a case that could have far-reaching implications for public sector unions, hundreds gathered on the Statehouse lawn for the "Working People's Day of Action."

The event also comes in the wake of six pieces of legislation introduced in Ohio to revise collective bargaining laws.

"The Ohio Legislative Black Caucus stands in solidarity with labor and working people," Ohio Legislative Black Caucus President and Rep. Stephanie Howse (D-Cleveland) said in a statement. "Right to Work is wrong and has no place in the state of Ohio. Fair labor practices, equitable pay, representation in the workplace and building power through unity are essential to making Ohio stronger, and should be a guaranteed right to all who are willing to work."

Buckeye Institute President Robert Alt said the questioning by Justice Anthony Kennedy during oral arguments should leave union supporters concerned.

"Given how frequently Justice Kennedy is in the majority, his questions have to be a cause of concern for those seeking to continue the practice of forcing public servants to pay for union speech with which they may disagree," he said.

Gun Control: The gubernatorial campaign of Dennis Kucinich continues to put gun control in the spotlight.

In the latest move, Mr. Kucinich's running mate, Akron City Councilwoman Tara Samples, plans to introduce a measure to urge state lawmakers to pass a ban on assault weapons.

"Dennis and I, with the help of more than 2,000 grassroots volunteers, are working to convince every city council and every board of education all across Ohio to support getting these killing machines off our streets," she said in a statement. "I couldn't be more proud that my own community is about to become the first in Ohio to take this step."

New Polling: A Suffolk University/*USA Today* poll released Monday found strong support for additional gun restrictions, including 63% of respondents who want semi-automatic weapons banned.

Another 76% said that people treated for mental illness should be banned from owning firearms and 61% said stronger gun control law and background checks could prevent more mass shootings.

The poll also found that 62% believe schools should be required to have metal detectors and 58% believe there should be a requirement that schools have a armed police officer stationed on campus.

However, just 19% believe the prospects of Congress passing gun-control measures are good to excellent and 25% believe there is a fair chance for legislative action. Another 51% said the chances are poor.

"Voters see a Congress that is deaf to their wishes about remedying gun violence in the United States," said David Paleologos, director of the Suffolk University Political Research Center in Boston

The nationwide survey of 1,000 individuals, which has a margin of error of 3%, also found that President Donald Trump's approval rating stands at 38%, down from 47% one year ago.

"President Trump's job performance ratings have had several ups and downs in the past year, with last March's relatively strong showing coming in the aftermath of a well-received speech to Congress," Mr. Paleologos said. "The bump he got after signing the tax bill in December appears to have been overwhelmed in light of young people challenging him on gun issues and the investigation of Russian meddling in U.S elections."

ODP Training: The Ohio Democratic Party announced Monday that more than 110 candidates took part in its "Main Street Initiative," which provides training and support to candidates.

"What Democrats are seeing nationally, we're seeing here in Ohio, too - the unprecedented energy and enthusiasm of the grassroots is turning into record numbers of Democratic candidates running in races up and down the ballot," ODP Chairman David Pepper said in a statement. "We're proud to support our state and local candidates when they run for office, as we build our bench of great public servants. We look forward to working with our 2018 'Main Street' candidates from now through Election Day and then touting their successes once they're in office."

Governor's Appointments

State Auctioneers Commission: Theresa M. Blocher of Paris for a term beginning February 26, 2018, and ending October 9, 2020.

Board of Nursing: Lauralee S. Krabill of Sandusky and Patricia A. Sharpnack of Chardon for terms beginning February 26, 2018, and ending December 31, 2021

Supplemental Event Planner

Monday, March 5

One Ohio Now news conference on state data ahead of the State of the State Address, Ladies Gallery, Statehouse, Columbus, 1 p.m.

Wednesday, March 7

Rep. Martin J. Sweeney (D-Cleveland) fundraiser, Dempsey's, 346 S. High St., Columbus, 5:30 p.m., (Marty, We Love You; \$1,000-\$5,000; Best Buddy; \$500; Good Pal; \$100 Friend: \$25 to Friends of Martin J. Sweeney)

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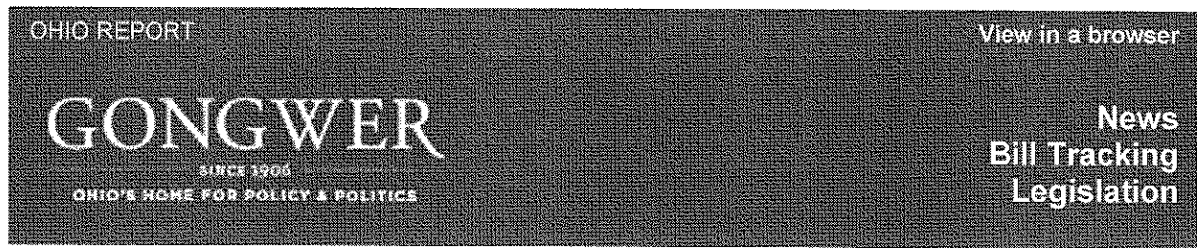
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OHIO REPORT MONDAY, FEBRUARY 26

\$2.62 Billion Capital Budget Prioritizes Projects To Address Opiate Addiction, Related Issues

Cardinal Health Among Drug Distributors Targeted In Latest DeWine Opioid Suit

Nearly \$29M In State IT Funding Clears Controlling Board

Adult Charge Stemming From Juvenile Conviction Challenged At High Court

Ohio Groups Debate Trump's Short-Term Health Plan Proposal

Travel Trailer Maker Tops List Of Tax Credits Issued By State Panel

Kasich Declares Emergency As Flood Risks Continue

Cyberattack Temporarily Shuts Down State Websites, Phones

Environmental Group Calls For Setback, Chemical Reporting Changes Following Well Fire

Schiavoni, Williams Plan Firearm Removal Bill; Yost Unveils School Safety Plan; High Court Hears Janus Case; Kucinich Continues Gun Push...

Governor's Appointments

Supplemental Event Planner

ACTIVITY REPORTS

House

Senate

CALENDARS

Day Planner

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Daily Activity Planner for Tuesday, February 27

Legislative Committees

Senate Transportation, Commerce & Workforce (Committee Record) (Chr. LaRose, F., 466-4823), Finance Hearing Rm., 9:30 a.m.

- HB 159** **MONTH DESIGNATION** (Riedel, C.) To designate May as "Drive Ohio Byways Month." (1st Hearing-Sponsor)
- HB 195** **WHEELCHAIR TRANSPORTS** (Ingram, C., Seitz, B.) To modify the provisions concerning the transport of persons who require the use of a wheelchair or other mobility aid in nonemergency circumstances. (3rd Hearing-All testimony-Possible amendments & vote)
- HCR 19** **HATE GROUPS** (Leland, D., Greenspan, D.) To denounce and oppose the totalitarian impulses, violent terrorism, xenophobic biases, and bigoted ideologies that are promoted by white nationalists and neo-Nazis, to urge law enforcement to recognize white nationalist and neo-Nazi groups as terrorist organizations, and to pursue the criminal elements of these domestic terrorist organizations in the same manner and with the same fervor used to protect the United States from other manifestations of terrorism. (2nd Hearing-Proponent)
- HB 336** **LICENSE FEES** (Barnes, J., Greenspan, D.) To prohibit the imposition of driver's license and temporary instruction permit reinstatement fees in specified circumstances and to name this act the Reinstatement Fee Amnesty Initiative. (2nd Hearing-Proponent)
- HB 250** **ELECTRIC BICYCLES** (Brinkman, T.) To establish requirements for the use of electric bicycles. (1st Hearing-Sponsor)
- Senate Local Government, Public Safety & Veterans Affairs (Committee Record) (Chr. Uecker, J., 466-8082), South Hearing Rm., 9:45 a.m.
- Confirmation hearing on governor's appointment of Scott Arthur, State Board of Emergency Medical, Fire and Transportation Services

- HB 307** **MONTH DESIGNATION** (Gonzales, A.) To designate September as "We Card Month." (2nd Hearing-Proponent)
- HB 229** **DAY DESIGNATION** (Romanchuk, M., Wiggam, S.) To designate February 3 as "Charles Follis Day." (2nd Hearing-Proponent)
- HB 202** **AWARENESS DAY** (Thompson, A.) To designate the first Saturday of May as "Veterans Suicide Awareness Day." (2nd Hearing-Proponent)
- SB 106** **SMOKING** (Tavares, C.) To prohibit smoking in a motor vehicle in which a child under six years of age is a passenger. (1st Hearing-Sponsor)
- HB 194** **LICENSE PLATES** (Johnson, T., Craig, H.) To establish a program for the issuance of special license plates related to military service and awards. (4th Hearing-All testimony-Possible amendments & vote)

House Rules & Reference (Committee Record) (Chr. Rosenberger, C., 466-3506), Rm. 119, 10 a.m.

House Ways & Means (Committee Record) (Chr. Schaffer, T., 466-8100), Rm. 121, 10 a.m.

SB 226 TAX HOLIDAY (Bacon, K.) To provide for a permanent three-day sales tax "holiday" each August during which sales of clothing and school supplies are exempt from sales and use tax. (1st Hearing-Sponsor)

SB 22 TAX LAWS (Peterson, B.) To expressly incorporate changes in the Internal Revenue Code since February 14, 2016, into Ohio law. (3rd Hearing-All testimony-Possible amendments, substitute & vote)

HB 507 TAX CREDIT (Gonzales, A.) To allow a refundable income tax credit for parents of stillborn children. (1st Hearing-Sponsor)

HB 488 TAX LEVIES (Hood, R., Becker, J.) To modify the information conveyed in election notices and ballot language for property tax levies. (1st Hearing-Sponsor & proponent)

Senate Judiciary (Committee Record) (Chr. Bacon, K., 466-8064), North Hearing Rm., 10:15 a.m.

- **Confirmation hearing on governor's appointments of Mark Wasylshyn, Michael Staley, Brian Simms and Jay Beighley, Ohio Private Investigation and Security Services Commission**

SB 66 CRIMINAL LAWS (Eklund, J., Tavares, C.) To modify criminal sentencing and corrections law by including rehabilitation as a purpose of felony sentencing, removing the one-year minimum for presumptive fourth or fifth degree felony community control sanctions, modifying sanctions for a violation of a community control condition, modifying the manner of calculating confinement credits, modifying eligibility criteria and procedures for granting intervention in lieu of conviction, making offenders convicted of certain multiple fourth or fifth degree felonies eligible for conviction record sealing, revising procedures for the Adult Parole Authority to grant a final release or terminate post-release control, and modifying the criteria for considering a prison term sanction for a post-release control violation. (5th Hearing-All testimony-Possible vote)

SB 231 OFFENDER DATABASE (Gardner, R.) To provide for a violent offender database, require violent offenders to enroll in the database, and name those provisions of the act "Sierah's Law;" to modify the membership and duties of the Ex-Offender Reentry Coalition and eliminate its repeal; to require halfway houses to use the single validated risk assessment tool for adult offenders that the Department of Rehabilitation and Correction has developed; and to provide that the notice of release from prison of specified serious offense offenders that is given to sheriffs is to be the same as that provided to prosecuting attorneys and eliminate the notice to sheriffs regarding pardons, commutations, paroles, and transitional control transfers of offenders. (2nd Hearing-Possible amendments)

- SB 171** **PROTECTION ORDERS** (Hottinger, J.) To increase the penalty that applies to the offense of violating a protection order under certain circumstances and to require electronic monitoring of those convicted of violating certain protection orders to be carried out by probation agencies. (3rd Hearing-All testimony-Possible amendments)
- SB 195** **DOGS LAW** (Beagle, B.) To revise provisions of the Dogs Law governing nuisance, dangerous, and vicious dogs, to revise enforcement of that Law, and to establish a notification process regarding complaints of certain violations of that Law. (3rd Hearing-All testimony-Possible amendments)
- SB 244** **PROSTITUTION** (Dolan, M., Manning, G.) To amend the penalties for promoting prostitution. (2nd Hearing-Proponent)
- House Finance (Committee Record) (**Chr. Smith, R., 466-1366**), Rm. 313, 11 a.m.
- HB 529** **CAPITAL APPROPRIATIONS** (Ryan, S.) To make capital appropriations and changes to the law governing capital projects and to make reappropriations for the biennium ending June 30, 2020. (1st Hearing-Sponsor-Pending referral)
- HB 508** **OHIO CORPS** (Ryan, S., Reineke, B.) To establish the OhioCorps Pilot Project and to make an appropriation. (2nd Hearing-Proponent)
- HB 378** **BROADBAND GRANTS** (Smith, R., Cera, J.) To create the Ohio Broadband Development Grant Program and to make an appropriation. (5th Hearing-All testimony-Possible substitute)
- House Economic Development, Commerce & Labor (Committee Record) (**Chr. Young, R., 644-6074**), Rm. 113, 1:30 p.m.
- HB 504** **INTERIOR DESIGNERS** (Pelanda, D.) Regarding interior designers. (1st Hearing-Sponsor)
- HB 263** **OUTDOOR DINING AREAS** (Lanese, L.) To generally allow an owner, keeper, or harbinger of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation. (6th Hearing-All testimony-Possible vote)
- HB 211** **HOME INSPECTORS** (Hughes, J.) To require the licensure of home inspectors and to create the Ohio Home Inspector Board to regulate the licensure and performance of home inspectors. (5th Hearing-All testimony-Possible vote)
- HB 433** **VETERINARY EDUCATION** (Kelly, B., Brinkman, T.) To allow a licensed veterinarian to receive up to two continuing education credits per biennium for performing free spaying and neutering services. (2nd Hearing-Proponent)
- House Criminal Justice (Committee Record) (**Chr. Manning, N., 644-5076**), Rm. 114, 1:30 p.m.
- HB 457** **DRUG TREATMENT** (Antani, N.) To require that an offender serving a community control sanction or a parolee who fails a drug test for heroin,

fentanyl, or carfentanil be held in jail or admitted to a residential treatment program for up to 30 days. (2nd Hearing-Proponent)

HB 391 **ECONOMIC LOSSES (Merrin, D.)** To include the cost of accounting done to determine the extent of economic loss as a type of economic loss for which restitution may be granted. (4th Hearing-All testimony-Possible amendments & substitute)

House State & Local Government (Committee Record) (Chr. Anielski, M., 644-6041), Rm. 017, 2 p.m.

HB 454 **CEMETERY LOTS (Patterson, J., Arndt, S.)** To require a township to compensate the owner of certain unused cemetery lots and rights which the township reenters after lack of response from the owner. (5th Hearing-All testimony-Possible vote)

HR 299 **DRUG USE (Young, R., Ginter, T.)** To recognize the efforts and successes of the faith-based community in supporting and assisting individuals who are suffering from opioid and other drug abuse and addiction. (3rd Hearing-All testimony-Possible vote)

HB 483 **WEEK DESIGNATION (Patterson, J.)** To designate the second week of October as "Ohio Covered Bridge Week." (2nd Hearing-All testimony)

HB 484 **HEALTH DISTRICTS (Brenner, A.)** To authorize city and general health districts to use credit cards in accordance with prescribed requirements. (1st Hearing-Sponsor)

HB 492 **STATE PROCUREMENT (Gonzales, A.)** To establish the women-owned business enterprise program requiring state agencies to establish women-owned business procurement goals. (1st Hearing-Sponsor)

HB 493 **MINORITY ENTERPRISES (Gonzales, A.)** To authorize the Director of Administrative Services to enter into reciprocal agreements with other states with respect to the certification of minority business enterprises and EDGE business enterprises. (1st Hearing-Sponsor)

HB 500 **TOWNSHIP LAWS (Carfagna, R.)** To make various changes to township law. (1st Hearing-Sponsor)

House Government Accountability & Oversight (Committee Record) (Chr. Blessing, L., 466-9091), Rm. 313, 2 p.m.

- **Note time & room change.**

HB 382 **UNEMPLOYMENT COMPENSATION (Schuring, K.)** To modify terms describing payments made under the Unemployment Compensation Law, to increase the amount of wages subject to unemployment compensation premiums, to require qualifying employees to make payments to the Unemployment Compensation Insurance Fund, to allow the Director of Job and Family Services to adjust maximum weekly benefit amounts, to reduce the maximum number of benefit weeks, and to make other changes to the Unemployment Compensation Law. (15th Hearing-All testimony)

- HJR 4** **UNEMPLOYMENT COMPENSATION (Schuring, K.)** Proposing to enact Section 2t of Article VIII of the Constitution of the State of Ohio to allow the General Assembly to provide by law for the issuance of bonds to pay unemployment compensation benefits when the fund created for that purpose is or will be depleted or to repay outstanding advances made by the federal government to the unemployment compensation program. (15th Hearing-All testimony)
- HB 512** **EDUCATION DEPARTMENT (Reineke, B.)** To establish the Department of Learning and Achievement; to abolish the Department of Higher Education, the position of the Chancellor of Higher Education, and the Ohio Board of Regents; to transfer, with exceptions, the duties regarding the administration of primary and secondary education programs and all duties regarding the administration of higher education programs to the Department of Learning and Achievement; and to prescribe certain duties regarding educator licensure, community school sponsorship, and other education programs for the State Board of Education, Superintendent of Public Instruction, and Department of Education. (2nd Hearing-Proponent)
- HB 451** **PUBLIC RECORDS (Retherford, W.)** To exclude from the definition of public record under the Public Records Law any depiction by photograph, film, videotape, or digital, visual, or printed material of victims of crime under specified circumstances dealing with the victims' bodily privacy. (4th Hearing-All testimony-Possible vote)
- SB 223** **USED TIRES (LaRose, F.)** To prohibit the installation of unsafe used tires on certain motor vehicles. (4th Hearing-All testimony-Possible amendments & vote)
- SB 10** **PRIMARY ELECTIONS (LaRose, F.)** To expand the circumstances under which a board of elections or the secretary of state is not required to hold a primary election. (3rd Hearing-All testimony-Possible substitute)
- HB 506** **DOG BREEDERS (Hill, B.)** To revise the law governing high volume dog breeders. (2nd Hearing-Proponent-Possible amendments)
- HB 469** **TAX CREDIT (Schuring, K., Patton, T.)** To authorize a nonrefundable insurance company tax credit for contributions of capital to transformational mixed use development projects. (2nd Hearing-Proponent)
- HB 489** **FINANCIAL INSTITUTIONS (Dever, J.)** To provide some regulatory and tax relief to state banks and credit unions, to provide for data analytics to be conducted on publicly available information regarding banks, credit unions, and consumer finance companies, to modify when a creditor can file a claim against an estate, to require registration of mortgage loan servicers, and to require a specified notice be given to a debtor for certain debt collection. (1st Hearing-Sponsor-Possible amendments)
- SB 139** **LEGAL MATERIALS (Skindell, M., Eklund, J.)** To adopt the Uniform Electronic Legal Material Act. (1st Hearing-Sponsor)

HB 450 **HEALTH BENEFITS** (Antani, N.) To impose review and other requirements on existing health insurance mandated benefits and to establish requirements for the creation of new mandated benefits. (2nd Hearing-Proponent)

HB 342 **TAX LEVIES** (Merrin, D.) To permit local tax-related proposals to appear only on general and primary election ballots and not on an August special election ballot and to modify the information conveyed in election notices and ballot language for property tax levies. (4th Hearing-All testimony)

Senate Finance (Committee Record) (**Chr. Oelslager, S., 466-0626**), **Finance Hearing Rm., 2:30 p.m.**

- **Confirmation hearing on governor's appointments of Pamela Mowry, North Central State College Board of Trustees and Jo Ann Davidson and Ranjan Manoranjan, Ohio Casino Control Commission**

SB 266 **CAPITAL APPROPRIATIONS** (Oelslager, S.) To make capital appropriations and changes to the law governing capital projects and to make reappropriations for the biennium ending June 30, 2020. (Presentation from OBM Director Tim Keen)

HB 168 **CEMETERY REGISTRATION** (Stein, D.) To modify duties of the Division of Real Estate in the Department of Commerce regarding cemetery registration, to specify cemetery owners must reasonably maintain cemeteries, to establish the Cemetery Grant Program, and to make an appropriation. (4th Hearing-All testimony-Possible vote)

HB 251 **SUBDIVISION INVESTMENTS** (Greenspan, D.) To increase from five to ten years the maturity period of other political subdivision's bonds and obligations eligible for investment of a subdivision's interim moneys, a county's inactive moneys, and money in the county public library fund. (4th Hearing-All testimony-Possible vote)

Senate Health, Human Services & Medicaid (Committee Record) (**Chr. Burke, D., 466-8049**), **South Hearing Rm., 3:15 p.m.**

SB 218 **MEDICAID PROVIDERS** (Lehner, P.) Regarding surety bonds and minimum training for certain Medicaid providers. (1st Hearing-Sponsor-Possible amendments)

HB 332 **ANATOMICAL GIFTS** (Antani, N.) Regarding anatomical gifts, transplantation, and discrimination on the basis of disability. (1st Hearing-Sponsor)

HB 340 **PUBLIC ASSISTANCE** (Young, R.) Regarding the release of information concerning public and medical assistance recipients. (1st Hearing-Sponsor)

SB 233 **COTTAGE FOOD PRODUCTION** (Thomas, C.) To allow a cottage food production operator to use a firebrick oven located on a patio at the operator's residence for purposes of the cottage food production operation (2nd Hearing-Proponent)

HB 111 **MENTAL HEALTH COMMITMENTS** (Carfagna, R., Ryan, S.) To authorize certain advanced practice registered nurses to have a person involuntarily

transported to a hospital for a mental health examination. (4th Hearing-All testimony-Possible amendments)

House Education & Career Readiness (Committee Record) **(Chr. Brenner, A., 644-6711)**, Rm. 121, 4 p.m.

HB 502 **YOUTH SUICIDE** (Anielski, M.) With regard to educator inservice training on youth suicide awareness and prevention in public schools. (1st Hearing-Sponsor)

HB 503 **YOUTH SUICIDE** (Anielski, M.) With regard to educator inservice training on youth suicide awareness and prevention in private schools. (1st Hearing-Sponsor)

HB 318 **SCHOOL RESOURCE OFFICERS** (Patterson, J., LaTourette, S.) To define the necessary qualifications and responsibilities of school resource officers. (3rd Hearing-All testimony-Possible substitute & vote)

HB 428 **STUDENT EXPRESSION** (Ginter, T., LaTourette, S.) Regarding student religious expression and to entitle the act the "Ohio Student Religious Liberties Act of 2018." (3rd Hearing-Opponent)

HB 491 **EDUCATION LICENSE** (Edwards, J.) To require the State Board of Education to issue a substitute license to specified pupil services personnel. (2nd Hearing-All testimony)

HB 360 **BULLYING** (Greenspan, D.) To enact the "Ohio Anti-Bullying and Hazing Act" with regard to school discipline and bullying and hazing policies at public schools and public colleges. (4th Hearing-Possible substitute)

Senate Government Oversight & Reform (Committee Record) **(Chr. Coley, B., 466-8072)**, Finance Hearing Rm., 4 p.m.

SR 342 **COLUMBUS CREW** (Kunze, S.) To urge the investor-operator and chairperson of Columbus Crew Soccer Club to keep the franchise in Columbus. (2nd Hearing-All testimony-Possible vote)

SB 221 **AGENCY RULEMAKING** (Uecker, J.) To reform agency rule-making and legislative review thereof. (3rd Hearing-Opponent-Possible amendments)

HB 226 **FIREWORKS** (Seitz, B., Sweeney, M.) To establish a fireworks study group to review and make recommendations regarding the Fireworks Law, to extend to July 1, 2020, the moratorium on issuing fireworks manufacturer and wholesaler licenses, to eliminate, beginning January 1, 2021, the moratorium on geographic transfer of fireworks manufacturer and wholesaler licenses, and, beginning July 1, 2020, to impose a fee on the retail sale of consumer grade fireworks in this state and to expand the ability of individuals to obtain 1.3G display fireworks and obtain and use 1.4G consumer fireworks. (2nd Hearing-Proponent)

SB 239 **REGIONAL GOVERNMENT COUNCILS** (Dolan, M.) To modify the law concerning regional councils of governments. (3rd Hearing-Opponent)

Agency Calendar

**Board of Building Appeals, Division of Industrial Compliance, 6606 Tussing Road,
Training Room 1, Reynoldsburg, 8:30 a.m.**

Event Planner

State Auditor Dave Yost and GOP lawmakers news conference on Medicaid compliance, Press Briefing Rm., Statehouse, Columbus, 10 a.m.

Ohio Lobbying Association Annual Meeting & Legislative Reception, Sheraton Columbus at Capital Square, 75 E. State St., Columbus, 4 p.m., (4:00 pm - Annual Meeting for OLA Members; 5:00 pm - Legislative Reception. More info and to register: http://bit.ly/2018_OLA_AM)

Rep. Glenn Holmes (D-McDonald) fundraiser, Westies Gastropub, 940 S. Front Street, Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$250 to Committee to Elect Glenn Holmes. RSVP with Jenna Gravalis at 551-427-9895 or jgravalis@ohiodems.org)

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Senate Activity for Monday, February 26, 2018

INTRODUCED

SB 266 ■ **CAPITAL APPROPRIATIONS (Oelslager, S.)** To make capital appropriations and changes to the law governing capital projects and to make reappropriations for the biennium ending June 30, 2020.
Gongwer Coverage

SB 267 ■ **SOLICITING (Brown, E., Kunze, S.)** To increase the penalty for soliciting when the person solicited is eighteen years of age or older, to specify that the fine for soliciting in this circumstance is not more than two thousand five hundred dollars, and to specify that up to one thousand dollars of that fine may be deposited into the Victims of Human Trafficking Fund. Am. 2907.24 and 5101.87

SENATE PRESIDENT'S APPOINTMENTS

Joint Education Oversight Committee: Senator Gayle Manning as chair .

DELIVERED TO THE GOVERNOR

SB 144 ■ **DISABILITIES COUNCIL (Burke, D.)** To abolish the Opportunities for Ohioans with Disabilities Commission, Consumer Advisory Committee, and Governor's Council on People with Disabilities; to establish a state rehabilitation services council known as the Opportunities for Ohioans with Disabilities Council; and to restore staggered terms of office for the employee members representing firefighters on the board of trustees of the Ohio Police and Fire Pension Fund.

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House Activity for Monday, February 26, 2018

INTRODUCED

HB 526 ■ **SCHOOL SAFETY** (DeVitis, T., Sweeney, M.) To authorize a public or chartered nonpublic school to enter into an agreement with a volunteer law enforcement officer to patrol school premises to prevent or respond to a mass casualty event, to provide the parties with a qualified immunity from civil liability, and to provide a tax credit for volunteer service. Am. 5747.08 and 5747.98 and to enact sections 3313.94 and 5747.64

HB 527 ■ **VISITATION RIGHTS** (LaTourette, S.) To allow certain specified persons to petition the probate court for reasonable visitation with an incompetent or ward if visitation between the person and the incompetent or ward has been interfered with or denied. Am. 2111.132

HB 528 ■ **CORPSE ABUSE** (Smith, R., Rezabek, J.) To expand the penalties for abuse of corpse offenses. Am. 2927.01 and 2929.13

HB 529 ■ **CAPITAL APPROPRIATIONS** (Ryan, S.) To make capital appropriations and changes to the law governing capital projects and to make reappropriations for the biennium ending June 30, 2020. Am. 164.05
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HOUSE SPEAKER'S APPOINTMENTS

Insurance Committee: Remove Representative LaTourette; appoint Representative Lang.

DELIVERED TO THE GOVERNOR

HB 45 ■ **MONTH DESIGNATION** (Sprague, R.) To designate May as "Neurofibromatosis Awareness Month."

HB 79 ■ **FIREARMS TRAINING** (Retherford, W., Hagan, C.) To provide for firearms training for tactical medical professionals; to permit such a professional who has received that training and has been authorized by the law enforcement

agency to carry firearms while on duty; and to grant such a professional the same right to carry a concealed handgun in this state as a concealed handgun licensee.

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